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Hayek's Theory of Cultural Group Selection

by David Ramsay Steele

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Introduction

Hayek suggests that there are two ways in which we might think of society's having come to be what it is.¹ There is the "constructivist" way, social institutions having been designed for a known purpose, and an alternative, evolutionary way, analogous to Darwinian selection, "a process in which practices which had first been adopted for other reasons, or even purely accidentally, were preserved because they enabled the group in which they had arisen to prevail over others."² In this context, Hayek does not contemplate the possibility of any third way.

In this paper I establish what Hayek's evolutionary theory is, and argue (by reference to the preconditions of Darwinian natural selection) that it is scarcely tenable. I advance a third possible way in which social institutions might develop, and contend that this third way is the mode of social evolution envisaged by Liberal social theorists such as Hume, Ferguson, and Carl Menger, mistakenly cited by Hayek as proponents of his own theory of cultural group selection. (I even toyed with the notion of entitling this paper "Hayek Versus the Liberal Theory of Social Evolution.") In the course of these arguments, it will emerge that the refutation of Hayek's theory of cultural group selection knocks away the main support for Hayek's doctrine that reliance on human reason is hazardous in deciding matters of social policy. It will also emerge that Hayek's later thinking involves a curious convergence with the holistic and organicist theories he criticized so bitterly in his earlier writings.

Author's note: This paper was presented at the Midwestern Libertarian Scholars' Conference, Chicago, April 13-14, 1984. (A few minor revisions were made in April 1986.) The paper is a reworking of part of "Spontaneous Order and Traditionalism in Hayek," which, in turn, was an expanded version of a paper first delivered to the Colloquium on Austrian Philosophy and Austrian Politics, London, April 26-27, 1980.

What is Hayek's Theory of Cultural Group Selection?

There are at least three reasons why the peculiarities of Hayek's conception of social evolution have generally escaped notice and criticism:

1. Hayek's theory is singular, even bizarre, and readers tend to put their own commonsensical glosses on it.
2. Whilst Hayek frequently states his theory in unmistakable terms, he at least as often employs phrases that could describe either his theory or the Liberal trial-and-error theory I shall recommend as more convincing. For example, the formulation "what proved conducive to more effective human effort survived"³ is general enough to cover both theories.
3. Hayek undoubtedly takes for granted the Liberal or trial-and-error scenario in some contexts (though he makes no mention of it in those contexts where it would be relevant to his treatment of cultural group selection).

However, such passages as the following leave little room for doubt about Hayek's commitment to an original and distinctive theory of social evolution:

In the process of cultural transmission, in which modes of conduct are passed on from generation to generation, a process of selection takes place, in which those modes of conduct prevail which lead to the formation of a more efficient order for the whole group, because such groups will prevail over others.⁴

In so far as such rules have prevailed because the group that adopted them was more successful, nobody need ever have known why that group was successful and why in consequence its rules became generally adopted.⁵

[Cultural evolution is] a process of winnowing or sifting, directed by the differential advantages gained by groups from practices adopted for some unknown and perhaps purely accidental reasons.⁶

[Civilization] was made possible, at least as much if not more than by the growth of knowledge or intelligence, by some moral beliefs that asserted themselves, not by men increasingly understanding their advantages, but simply and solely by the selection of those groups which by adhering to them became able to build much better than they knew. . . . It had been mystical or supernatural beliefs that made groups stick to the traditions of certain practices long enough to give natural selection time to pick from the great variety of groups those with customs which most effectively assisted the growth of their numbers.⁷

Such passages have become increasingly common in Hayek's more recent writings, and they present a coherent and unambiguous theory, which I call natural selection of group cultural systems, or for short, cultural group selection. Among significant points, we should especially notice the following:

1. A selection process, analogous to Darwinian natural selection, is posited as operating in human society.
2. This process operates on groups, distinct populations of humans, each with its distinct culture.
3. What are selected for or against are practices that benefit or hurt the "whole group," and *not* individuals or subgroups within the group.
4. What are selected for or against are entire group cultures, total group systems or aggregates of practices, and *not* particular practices.
5. There is no need for humans to possess any rational comprehension of this process, which occurs independently of anyone's intellectual understanding.
6. The process ensures that customs, morals, laws, and so forth, are useful to human group survival and expansion, even though the reason for their usefulness (or the fact that they are useful at all) is not understood by anyone.
7. We should therefore respect traditional ways even where we can see no good in them, and even where we find them abhorrent, because they serve a function for human society that we may not appreciate. (In fact, Hayek holds that we are bound to find them abhorrent, since he advances the theory, which we will not consider here, that the cultural traditions that have proved vital for the "Great Society" are in conflict with our genetically favored gut reactions, which evolved earlier and are inherently socialistic.)

Thus Hayek's repeated insistence on the importance of cultural group selection is part of his general case against what he regards as excessive reliance on reason.

Immediate Doubts and Puzzles

So much is clear, but there are obscure areas in Hayek's exposition of cultural group selection. The following three questions spring to mind at once:

1. *When did all this take place?* Did it happen in prehistoric times, and if so, does it happen today among primitive groups? Has it happened in recorded history, or is it even still supposed to be going on among industrialized societies?
2. *How do groups succeed or fail?* Do the successful groups exterminate or enslave the unsuccessful groups? Or do the successful groups merely outbreed the unsuccessful groups, by a faster rate of population growth

due to superior productive powers? Or is it rather that in some way “success” manifests itself as glamour, so that the successful groups are more widely imitated, and their efficient practices thus disseminated more readily than less efficient practices?

3. *How narrowly defined are the practices selected?* Are they so broad that all, or nearly all, existing societies exhibit these practices, or are they, for example, characteristically “Western” or even “Liberal”?

Each of these three mutually interrelated questions has the two characteristics that: (1) different answers are implied by Hayek on different occasions, and (2) whichever answer is given raises problems for his theory.

In some places Hayek suggests that cultural group selection occurred in prehistory and was responsible for the transition from a primordial socialistic band to the “Great Society” of trade and division of labor.⁸ Indeed, he seems to recognize that only in a vanished age no longer available for inspection could the conditions have obtained that would enable cultural group selection to take place, at least if it occurred by the physical disappearance of the unsuccessful groups. For the groups must be separate entities, not interdependent, and they must impose strict rules upon their members. The rules must be inflexible enough not to change to any appreciable extent, either by internal evolution or by random contacts with other groups. Hayek’s recent emphasis on a sharp demarcation between membership and nonmembership of the primordial bands, and on the intensely held supernatural beliefs hypothesized to have accompanied observance of group rules, may be an attempt to establish the (historically unknown) conditions that would make cultural group selection possible.⁹ He also suggests that the evidence of social-anthropological field studies has no bearing on the transition from the primordial band to the Great Society, apparently an attempt to cover his theory against the observation that no group of people has been discovered with the characteristics of his hypothetical primordial band.¹⁰ On the other hand, Hayek predicts, “Sometimes whole groups, and perhaps entire nations, will decline, because they chose the wrong values.”¹¹ The context suggests that this will occur by a process similar to that which operated in the past to weed out unsuccessful values, and thus that cultural group selection is still operative. But apart from the consideration that the conditions for cultural group selection to be possible have not existed in historical times, immediate reflection on the well-known events of history prompts the conclusion that the process has not in fact occurred. For example, the English polity evolved over centuries, and not by the most generous application of any version of cultural group selection could any part of that evolution be convincingly explained. There were not thousands of separate Englands, with the “unsuccessful” ones being killed off or absorbed, for reasons of comparative efficiency that no one understood. There was a single continuous social grouping, which evolved in large part by intelligent individuals

improvising on the basis of their theories about the world, by the unintended results of the clash of interest-groups and factions, by calculating statesmen responding to the military fortunes of various European leaders, and so forth.

To the second question, Hayek seems to allow all possibilities, with references to population growth,¹² conquest,¹³ and imitation.¹⁴ But each of these has its problems, not the least of which is that any one of them can be swamped by either or both of the others working in a contrary direction. It is difficult to accept that the most rapid population growth is always an infallible sign of "success." Civilization is based on cities, yet throughout much of history, population growth has been lower in the cities than the surrounding countryside, and in many cases the urban population's fertility was below replacement, so its maintenance relied upon immigration of rustics. This process continues today on an international scale, with the most technologically advanced societies facing the prospect of declining populations except for immigration from the (intuitively) "less successful" countries.¹⁵ (In some cases, like the United States, this effect is being temporarily masked by the fact that some internal groups, only a few generations away from backward agrarian social conditions, have high enough fertility rates to keep the average for the native population above replacement.)

As for conquest, Marx states somewhere that it is a "law" that societies founded on conquest adopt the culture of the conquered population. While no doubt a gross oversimplification, this is certainly far closer to truth than the reverse would be. The most prominent of several reasons is that conquerors take the conquered women, who play a major role in bringing up children. The grandchildren of the Scandinavian conquerors of Normandy spoke only Norman French. In some cases of conquest, even the women are exterminated, but this reduces the efficacy of conquest as a means of spreading the practices of the conquerors to a larger population. In some cases vigorous attempts are made to stamp out the native culture and replace it with the conquerors' culture, but this is rarely completely successful and is probably more common in recent centuries than earlier. (Another reason may be that society is big and complex, while conquest by a comparative handful may be easy, as in the repeated conquests of ancient Egypt.)

Furthermore, ability to conquer is not a very satisfying index of civilized "success." Historically, many comparatively civilized, productive peoples were conquered by rougher and less cultivated sorts. This raises the wider question of whether there is any necessary connection between "success" in the selective process and "success" in any sense we might wish to preserve and extend. We must resist the slovenly inclination to lump together all the things we like about civilization, assume that they are mutually conducive, and assume that whatever favors any one of them (or even, whatever favors some entirely different "success" trait) favors them all. That a culture has prospered by rapid population growth shows only that it permits, and probably favors, rapid population growth, or rather, that it did so under past conditions. That a culture prospered by military

conquest shows only that it was good, or at least not hopelessly bad, at military conquest.

Selection by imitation of societies that are glamorous or awe-inspiring because of their success is the least convincing of all the alternatives, because it introduces the element of conscious, rational appraisal with which the entire argument is supposed to dispense. It is very rare—virtually unknown—for *all* of the culture of an alien people to be imitated, except by the occasional individual “convert.” Usually the imitators are selective in what they imitate, and they select according to some theory of what *makes* the glamorous group so glamorous. Indeed, imitation often goes along with a certain amount of contempt for the people imitated, and precisely for that reason a desire to learn the tricks that have regrettably made them so successful; the adoption of some European behavior-patterns by Eastern peoples such as the Japanese illustrates this. Further, Hayek emphasizes the *whole pattern* of practices in a group’s culture, and if this whole pattern is not taken over, what will result by imitation will not (according to Hayek’s argument) partake of the effectiveness of the whole pattern. It may well be less adaptive than what was abandoned; anecdotes abound of the kind in which a tribal chief buys an alarm clock though he cannot tell the time. An extreme example is the case of the Pacific cargo cults.¹⁶ Like the Japanese, Koreans, and others, the cargo-cult members are rationally exercising discrimination in their choice of Western practices, but unlike those others, the cultists are operating according to a mistaken theory of the reasons for Western success.

Selection by imitation also has the difficulties that (1) stray, random influences of imitation may proceed in either direction, and (2) the imitating and imitated groups may be linked in some systematic way, the most probable and significant being that they each benefit from specialization and therefore from their differences. If we postulate that members of group A copy the practices of group B because group B impresses by its glamorous success, it follows that information about B is available to members of A. It is therefore highly likely that information about A is available to members of B. All this cosmopolitan cultural exchange seems difficult to reconcile with the granite inflexibility of rules within each group, which is required for natural selection to work. But in any case, we should be clear about what is envisaged: A member of group A must know something about group B; based upon his knowledge, he concludes that B is more successful than, or in some way superior to, A; he forms a theory that certain of the practices of B are responsible for the superiority; he rejects any theory that asserts that his own group is fated to remain inferior to group B, or that he ought to be loyal to A regardless of the remote consequences for group success; he then decides that the costs to him of adopting the new B practices are less than the benefits that thereby accrue to him; he next makes an analysis of the relevant group B practices, and manages to correctly copy them; he copies enough of them, and the right ones, to bring about the same benefits for his own group;

and the condition must also be fulfilled that members of group B are not simultaneously copying practices from group A. Whatever we may think about all this, it can hardly be considered to form part of an argument that is going to result in the conclusion that rational appraisal should be limited in policy issues.

The elusiveness of the route by which one group supplants another appears in passages such as this, on the prehistoric transition to the "abstract" society:

It is very likely that in the course of this development a wealthier urban and commercial population often imposed upon larger rural populations a law which was still contrary to the mores of the latter, just as after the conquest by a military band a military land-owning aristocracy imposed in feudal ages upon the urban population a law which had survived from a more primitive stage of economic evolution. This is also one form of the process by which the more powerfully structured society, which can attract individuals by the lures it has to offer in the form of spoils, may displace a more highly civilized one.¹⁷

Since Hayek has not discussed the displacement of more civilized by more powerfully structured societies, the final sentence is puzzling, perhaps pointing to future works in which Hayek will explicate his conception of social evolution. It is not clear whether he regards such "displacement" as an unfortunate occasional occurrence or thinks it valuable for a society to be "more powerfully structured." If the latter, it is a mystery why he should think that. The significance of the "spoils" is unclear, since in the two examples given it is the extension of the law to the subjugated, not any distribution of spoils, that is important. As to the two examples supplied, we may note that (1) a hypothetical process by which a more advanced culture subdues a more primitive culture is supported by a historical case where a more primitive culture subdues a more advanced one, and (2) the case of the towns under feudalism is one in which precisely what is supposed to happen in Hayek's scheme *does not happen*, viz., the towns retain their culture, alien to that of the feudal rulers. We may similarly suppose that the rural populations subdued by Babylonians, Incas, or their unknown prehistoric predecessors might retain their separate cultures (the story of the Jews' Babylonian captivity and return suggests as much) and that these might indeed survive long enough to modify the culture of the rulers.

On the question of how broadly or narrowly Hayek conceives the cultural practices selected, clues are scant. Although Hayek in one place seems to suggest that existing primitive peoples are unlike the primitives left behind by the advance to civilization in the past,¹⁸ in another place he does imply that existing primitives, equally with those of the past, lack something vital that they would have to acquire before becoming civilized.¹⁹ Private property, trade, contract, and a judicial system appear to be as prominent in most primitive societies as they are in industrialized ones, though naturally less elaborate.²⁰ Social-anthropological fieldwork has uncovered a great range of existing primitive societies, enough to scotch any fondly held prejudices about the necessary attributes of different "stages" of develop-

ment, but nothing has turned up remotely like the Hayekian primordial band, untrammelled by customary rules, guided only by immediately perceived benefit. This seems to be equally as uninstantiated in the realm of the actual as are the promiscuity and primitive communism beloved of Morgan and Engels.

Hayek's conception of the necessary elements of the Great Society, which survive because they were selected out during a process that preceded the birth of the Great Society, defies criticism on account of its nebulousness. But however broadly or narrowly we conceive these elements, history must place a great strain on the theory. As far as is known, Sumer was the first great civilization. It seems to have been extraordinarily "liberal,"²¹ at least immensely more liberal than many later civilizations, notably the "totalitarian" Assyrian, and perhaps more so than much of the world today. A very large proportion of the features of the Great Society, and especially those features which particularly appeal to Hayek, just seem to have appeared full-blown at the very dawn of history, to have died away, and then to have appeared full-blown elsewhere, essentially independently.

General Difficulties With Biological Parallels

There are difficulties with the notion that culture can evolve in a manner that parallels evolution of living organisms. In the biological case, natural selection depends upon a definite distinction between individual and population. The population adapts via its members' differential prospects for reproduction. Individuals reproduce by a process that preserves likeness, with some—usually comparatively slight—variations. An individual that survives to reproduce passes on an enormous collection of characteristics, mostly similar to those of its fellows that failed to reproduce or to reproduce so plentifully. In cultural group selection, where is the population and where the individual? One might regard each performance of a practice as an individual, the kind of practice as the population (for instance, one historical act of genuflection as an individual, genuflection as the population). But here the parallel fails because in Hayek's account there is no selection for particular practices, such as genuflection, but only for the entire set of practices carried by the group.²² In nature this is true for the individual, which is selected for or against because of its entire makeup rather than a single characteristic. One trait might be conducive to reproductive performance in combination with other traits, but not with a different set. The individual is selected out of a pool of largely similar individuals; thus the effect is usually to select for one or a few differentiating characteristics according to their efficacy in combination with most of the others. One is then tempted to try a different analogy: of the biological individual with the social group, the population with the set of all social groups with similar cultures. That does not work very well either. Rarely are there numerous social groups with highly similar cultures. Either groups are so closely linked (coming to each other's aid in war, for instance) that they must

be regarded, from the point of view of natural selection, as one individual, or they differ very considerably in culture. In this respect, human groups are unlike small populations of organisms, upon which natural selection most effectively operates. We do not find batches of very similar cultures, differing in a few details, so that this replicated order can be honed toward adaptiveness by progressive selection of those details which work best as part of that order. It is as if we had a few thousand organisms, each potentially immortal occasionally splitting into two, occasionally fusing, each preserving some continuity but changing spontaneously in many details at all times. Anything like Darwinian selection is out of the question here.

Flies or rats can become resistant to poisons faster than can human populations, because flies and rats have shorter generations. In view of the acknowledged importance of the rapidity of cultural change, it seems relevant to ask for the length of a cultural generation, or rather (since potentially immortal organisms can breed rapidly), for the reproduction rate. Since for Hayek the reproducing entity is a group's whole system of cultural practices, such questions appear to have no sensible reply. The reproduction rate of a cultural system maintained by a group seems to be meaningless. Ordinarily, groups, and group cultural systems, do not reproduce at all in any sense that would fit. The founding of new Greek colonies in ancient times would be about as close as we could get, but even here the new colonies started to evolve apart once founded, and since they continually interacted with the other Greek communities, we could hardly regard each colony as a separate organism for selective purposes.

Hayek reminds us that human culture evolves much more rapidly than human biology.²³ But if cultural group selection is to be relied upon, human culture would evolve much more slowly than human biology. For the selection of groups is a slower process than the selection of individuals, and group selection according to culture cannot be expected to proceed any faster than group selection according to genes.

Evolution Within the Group

Inasmuch as Hayek emphasizes the importance of the total system of a group's cultural practices, it is necessary to sharply distinguish internal changes in this system from those changes that result from selection among total systems. The latter kind of adaptive change is menaced by the former, not assisted by it. To take the biological parallel, if the genes of a living organism were to improvise their own changes, so that an individual organism at one point in its life were changed out of all recognition from the same individual at a different point (unpredictably, and not according to any programmed developmental scheme), this would not help out natural selection; rather it would prevent natural selection from making any progress.

Hayek often suggests that we should make changes in particular details of our customs, morals, and laws, in the light of our appreciation of the way in which these changes will enhance the working of the whole system. Nowhere does he seem to recognize that such a mode of conscious adaptation is incompatible with cultural group selection. Hayek appears to think that these two processes are almost the same, or complementary, when they are mutually incompatible. Hayek's account of the spontaneous evolution of law depicts judges applying old rules to new situations, and testing any doubtful rule by its consistency with the totality of inherited rules, which ought not to be open to question.²⁴ Hayek praises the Common Law tradition, in which precedents are regarded as embodying general principles, which are then applied to new situations as they arise. Sometimes, however, legislation must step in when some consequences of the direction taken by successive legal rulings "are seen to be clearly undesirable".²⁵ Neither the evolution by accumulation of precedents nor the legislative intervention can be squared with cultural group selection; in both cases the law is changed according to individuals' conscious awareness of what is desirable. In neither case is there any automatic selective check on the wisdom of the decisions, much less any check that operates by enabling some groups to prevail over others.

Hayek repeatedly insists that the merit of laws and other rules inherited from the past is that the process which selected them was independent of any human design, and that the adaptiveness of these rules rests in their total concatenation. But if the array of inherited rules is to be modified piecemeal by conscious decisions according to perceived desirability, then even the rules that remain unmodified lose (following Hayek's argument) any claim to respect, because they have become parts of a different system of rules. It is almost as though Hayek believed that cultural group selection selected general, abstract principles, and that conscious decisions which made the rules more conformable to those principles thereby aided the selection process. But the fact that the new decisions can be classified along with the old decisions does not mean that a selection process which favored the old decisions will favor the new decisions. What has not been selected is no more likely to be adaptive merely because it can be classified with what has been selected. We may suppose that along with the features selected, there are other adaptive features which could be classified together with them. But nothing entitles us to assume that that hypothetical classification can be known, or that it corresponds to the classification judges might make.

In a reference to the evolution of systems of morals, Hayek contends that it is "only by recognizing the conflict between a given rule and the rest of our moral beliefs that we can justify our rejection of an established rule."²⁶ It is permissible, or at least, in Hayek's opinion the idea may be countenanced, to change one detail of the inherited system of moral rules, if this introduces greater consistency into the whole system of rules. But there is no reason to suppose that if the system of morals has been arrived at by a form of natural selection,

intellectual consistency will be of any consequence. Perhaps the most adaptive system of moral rules is one riddled with absurdities and incongruities. The Stickleback does not bother its head trying to render the quirky patterns of its nesting and territorial behavior into a harmonious series of propositions. Hayek also claims that a moral innovator must first purchase the esteem of his fellows by strict adherence to the established rules.²⁷ Elsewhere he proposes that the social group is governed by "dominant old individuals who are firmly set in their ways and not likely to change their habits, but whose position is such that if they do acquire new practices they are more likely to be imitated than to be expelled from the group."²⁸ Such remarks, endorsing the cautious traditionalism that Hayek recommends as a matter of settled policy, may be very valuable on other grounds, but they do not harmonize with cultural group selection, which if true would not indicate caution as a desirable policy. It might indicate either blind adherence to tradition and resistance to all change, or that we could have no sound basis for any sensible decisions at all.

In numerous discussions of Hayek's theory, I have been offered the failure and consequent disappearance of hippy communes and producers' cooperatives as examples of Hayekian selection. But these will not do, because they are parts of a wider society. Suppose that communes and cooperatives benefited the whole of society but that no one recognized this. It would not have helped them. It is entirely possible that a subgroup may act beneficially for the whole group and be selected against, or that it may act harmfully and be selected for. It might be thought that a subgroup's benefits for the group would result in prestige, imitators, and the wherewithal to support large families all being "awarded" to the subgroup. We are tempted to think this likely because we assume that someone recognizes the subgroup's benefits, but this would make the selection process dependent upon someone's intellectual grasp of the subgroup's importance. Alternatively, there might be some invisible-hand process by which rewards accrue to the beneficial subgroup regardless of anyone's conscious recognition of benefit, but this will happen only if institutions favor it. Frequently the activities of small minorities, such as Jews in medieval Europe or Asians in twentieth-century East Africa, are hugely beneficial to society as a whole, but this leads neither to disproportionate minority expansion nor to large-scale emulation of minority ways by the majority.

Application of cultural group selection to modern history must fail because of the interdependence of all groups. Although Hayek predicts that "whole nations" will decline "because they chose the wrong values," it seems unlikely (given some of his other views) that he would grant that Soviet Russia was demonstrated to possess the right values by its successful expansion. It is a commonplace in liberal circles that the Soviet Union is able to progress, or perhaps even to maintain itself, only by drawing upon the technological achievements of the more market-oriented West. Hayek seems to share this view.²⁹ Hayek would probably

insist, in the context of any past or future Soviet expansion, that the West and the Soviet Union are components of a complementary system. But that is not compatible with treating the Soviet Union or any modern nation as a separate culture susceptible to natural selection. There are familiar ways in which nations may get on the wrong track and visibly decline, with the result that inappropriate practices are replaced. For example, they may adopt unwise economic policies and become materially impoverished, so that various individuals around the world—academics, journalists, and others—see the wrongness of those policies and broadcast their conclusions. Or the nations' governments may find that international lending agencies make their loans conditional on the adoption of new policies which increase the likelihood that the loans will be repaid. So it is not denied that nations may decline because they chose the wrong policies, and even the wrong "values." But this has nothing to do with cultural group selection.

There are, then, three major problems for a theory of cultural group selection in conditions where there are frequent contacts between "groups":

1. The groups may function interdependently, and therefore be better viewed as complementary sub-groups.
2. Where there is transmission of practices from one group to another by imitation, there can be no assumption that the transplanted practices will have the same significance in their new soil.
3. We cannot assume that the transmission of adaptive practices will be favored over maladaptive practices. (Members of rich and powerful social groups often imitate the customs of poorer and weaker peoples, as when Lowland Scots adopted a copy of the tribal "clan" system, plaids and all, of the Highland savages.)

Adaptiveness Cannot Be Inferred From Survival Alone

According to the views prevailing among evolutionary biologists,³⁰ natural selection operates only in conditions where there is a substantial number of similar entities with the capacity for self-replication at a potentially geometric rate.³¹ The sole mechanism of selection is the arithmetic mean of the reproductive success of those entities endowed with a particular characteristic, compared with the arithmetic mean of the reproductive success of those entities endowed with an alternative characteristic. The forces making for selection must be high relative to the rates of change of the selected entities. Natural selection cannot look ahead and engineer developments because they will have beneficial consequences at the end of the selection process. Nor can it operate for the benefit of anybody or anything except via reproductive performance. These ideas are in stark contradiction to commonplace notions of evolution, which generally share a viewpoint that might appropriately be labeled "providentialism." Providentialists (who

probably include most educated laypersons who have not made a special study of evolutionary biology) tend to assume that (a) anything in nature of any benefit (for any organism) has been selected because of that benefit, or (b) anything at all in nature must have been selected for in order to survive, and therefore must be of some benefit. Since almost anything that can be imagined will benefit some organism, these two formulations are in practice equivalent.

For example, many people probably suppose that senescence (deterioration through old age, leading to death) is prevalent in nature because it is somehow beneficial. They may suppose that it is nature's way of clearing the ground and making a fresh start, preventing overpopulation and making room for new generations, but this line of thinking has to be rejected as incompatible with natural selection. Any individual that had the potential for living longer than others in full reproductive vigor must gain a selective advantage, and no selective disadvantage, thereby. There is no reason why this advantage would stop accumulating with any given increase in longevity, short of potential immortality. Surprising as it may seem, death from "old age" has no "biological function" whatever. It may have benefits, but since there is no way that those benefits could be selected for by superior reproductive performance, *the benefits do not account for its occurrence, and its occurrence does not show that there are any benefits*. It is only when this has been comprehended that one is in a position to appreciate the ingenuity and elegance of Medawar's explanation of senescence.³²

There is similarly no justification for supposing that occasional drownings of lemmings (which gave rise to tales of their "mass suicide"), the individual "suicide" of a moth flying into a flame, homosexuality (which occurs in all mammals), the pain suffered by a fatally wounded animal, sexual arousal in a female past her fecund stage of the life cycle, the fact that blood is red, the fact that you can sometimes hear your own heartbeat, the susceptibility of humans to backache and delusions, or millions of other persistent features of the natural world, have any adaptiveness.

Influenced by the providentialist outlook, some sociologists and social-anthropologists adopted a "functionalist" approach to institutions, an approach which produces explanations that can never be refuted, since anything benefits someone. Hallpike provides a salutary dismissal of functionalist theories of war.³³ In his hostile comments on Hallpike's paper, Eibl-Eibesfeldt asserts that since wars have been going on since the dawn of mankind, they must serve some function.³⁴ He triumphantly follows this "refutation" with a list of ways in which war has contributed to humankind's development. One might as well argue that as human beings have always been falling from heights and breaking their necks, this must fulfill some function. And sure enough, these falls help to select those with stronger bones and the intelligence to calculate dangers accurately!

Although natural selection is a spontaneous process that hits upon devices a conscious designer might easily miss, it is subject to many of the same limita-

tions as is a designer. It must make use of the materials available, and in gaining one advantage, it may have to pay a price in associated disadvantages. An architect can decide to save space by putting in fewer supporting walls, or gain security by putting in more. The former choice leads to more collapses of buildings; the latter to less freedom of movement within. It would be a mistake to look for the purpose of roof collapses or constricted movement. (Hallpike satirizes the functionalist interpretation by suggesting that the function of dry rot is to ensure that houses are periodically overhauled and redecorated.³⁵)

Vestigial features (such as the rudimentary legs on the bodies of snakes) remind us that natural selection is imperfect and bound by the past. Any organism can be adapted only to its past environment; any recent environmental change throws open anew the whole question of adaptiveness.

An important prerequisite of natural selection is stability of replication. Occasional mutations can be coped with, but the rate of mutation has to be low in relation to the pressure of selection on different characteristics. It is no use expecting natural selection (or trying to practice artificial selection) if what you are selecting among changes too much, independently of the selection process. Selection works cumulatively only if what is selected in each generation is likely to remain largely unaltered for many successive generations.

Spiders keep down the number of flies, and this benefits humans, but that fact plays no part in explaining why spiders keep down flies. Economists will recognize this as a “free rider” problem: The spiders have no way of charging humans for their benefit, because the spiders have no way of selectively excluding humans. Many relationships in nature are of the free rider sort.

All these points can easily be applied to society. The survival of some persistent feature does not show adaptiveness, and no matter how beneficial that feature, this does not necessarily explain its persistence. Even if natural selection is responsible, adaptiveness applies only to the past. And “benefit” does not account for survival except as conduciveness to improved reproductive performance in competition with similar societies lacking the putatively beneficial feature. A benefit that accrues only via the modern international economy, united by the world market and division of labor, cannot account for the existence either of practices which gave rise to that social unification of the world or of practices which have been enabled to develop since. Just as there is no natural selection for the adaptiveness of the totality of living things on Earth, so there can be no natural selection accounting for the adaptiveness of a world social order. It is a paradox of Hayek’s account that he seeks to explain the rise of the Great Society by the evolution of groups fitted to the Great Society, when it would be possible to realize the benefits of the Great Society only by obliterating the group’s discrete and independent character, essential to the alleged evolutionary route.

Adaptiveness applies only to the environment within which selection occurred, and this must be true for any natural selection of culture. The environment of

a human group would seem to be very largely a matter of its relations with other groups, and the assumption of environmental constancy is questionable. But the necessity for stability of replication is even more dangerous to Hayek's theory. If Hayek relied upon the physical extermination of groups with maladaptive practices and the repopulation of their former habitats by colonists from the surviving groups, this would be a slower process than that of individual genetic selection. Even so, and even postulating groups with a monolithic intolerance and rigid orthodoxy of a degree never encountered historically, it defies belief that the formation of colonies would produce near-perfect copies of the mother society. Yet Hayek wants a process that works faster than individual biological selection and therefore has to rely upon the making of converts from those impressed by the evident success of groups with more adaptive practices. Sufficient stability of replication could scarcely be maintained under these conditions.

In nature, natural selection does not only introduce novelties, but at least equally importantly, it is necessary to maintain existing adaptations. Selection must ensure that there is permanent pressure to eliminate random departures from existing structures. A convincing theory of social evolution would likewise have to show, not just that certain practices were favored, but that there remained a ceaseless tendency to revert to those practices.

Group Selection

In developing his theory of cultural group selection, Hayek was influenced by biological theories of "group selection."³⁶ Although such theories were given wide popular exposure, especially by Robert Ardrey,³⁷ they were always a controversial minority view among evolutionary biologists, and in recent years have increasingly been rejected on theoretical and empirical grounds. There is no doubt that group selection occurs, in the sense that a population can be wiped out and its habitat taken by a different population, but it is only under unusual conditions that this could effectively counteract selection of individuals, which may often work against group benefit. Part of the reason is simply that, as individual selection is bound to proceed much faster than selection of populations, any trait that benefited groups at the expense of individuals would normally dwindle within all groups faster than it could spread by expansion of favored groups. It used to be claimed by some writers that animals would restrict their individual rates of reproduction in order to avoid overpopulation, and this example is cited by Hayek.³⁸ It was later shown that although higher population density leads to fewer offspring in many species, this maximizes the number of individual parent's offspring that can be successfully reared. It is individually advantageous, and group selection is unnecessary for its explanation. Advantage to the group is fortuitous.³⁹ Thus Darwin's position that evolution proceeds by individual and not group selection has substantially been reasserted, though the issue is not entirely settled, and a few biologists still champion group selection.⁴⁰ Hayek clearly

developed his theory of cultural group selection unaware of the trend of biological theory. In a discussion of various group patterns, including the “arrow formation of migrating wild geese, the defensive ring of buffaloes, or the manner in which lionesses drive the prey towards the male for the kill”⁴¹ as well as the coordinated activities of ants, termites, and bees, Hayek quite correctly observes that such group patterns do not depend upon the individual organism’s awareness of them but merely on the individual’s following certain rules. He then goes on to apply this idea to human social patterns (in itself, not unwarranted), and adds, “Yet all the individuals of the species which exist will behave in that manner because groups of individuals which have thus behaved have displaced those which did not do so.”⁴²

This leap is unjustified. For instance, the behavior of a lioness in driving prey toward the male is likely to show a net benefit (to be reproductively profitable) for that individual lioness. Group benefit is incidental, and as an explanation, redundant. This discussion, written no later than mid-1966 and therefore quite early in the development of Hayek’s cultural group selection theory, helps to uncover the assumptions underlying it and is significant in that it already shows Hayek posing the exclusive alternatives of design and group selection.⁴³ By 1979 Hayek had become aware of the trend in biological thinking, and asserted in a note to the third volume of *Law, Legislation and Liberty*: “Although the conception of group selection may now not appear as important as it had been through . . . there can be no doubt that it is of the greatest importance for cultural evolution.”⁴⁴

An Alternative View of Natural Selection of Culture

The rapidity of cultural transmission and innovation may mean that natural selection of culture should be separated from the notion of selection of human groups. Following this line of reasoning, we regard the individual practices or ideas as organisms, analogous to fleas or bacteria in their relation to the human groups that bear them. We ask what causes a particular sort of practice or idea (what Dawkins calls a “meme”⁴⁵) to survive or die out, perhaps independently of the fortunes of the human hosts. Natural selection of human groups is an unlikely path for natural selection of memes, since culture is so contagious. Fashions and religions are often compared to epidemics. It would be unconvincing to propose that bacteria have evolved to benefit humans because the human groups infected by harmful bacteria must have died out. The unconvincingness arises only partly because bacteria can live outside human bodies; it is mainly due to the fact that their rate of transmission is so rapid as to make the reproductive performance of their hosts a negligible consideration for their own reproductive performance. I suggest that cultural practices are the relevant self-replicating entities, and as with biological organisms, individual selection is overwhelming. (An important

aspect of selection of individual practices is their compatibility with group-borne systems of cultural practices. That, of course, is quite different from selection that works upon the systems as wholes.)

Hayek says that the success of groups is influenced by the sorts of cultural practices they maintain (True), with the result that those groups which happen to adopt beneficial practices will have a better chance of survival (True), and therefore the practices handed down from the past are likely to be useful to humans, even if they cannot understand why. Hayek would not say that the success of groups is influenced by the sorts of fleas, lice, and tapeworms they maintain (True), so that those groups which happen to adopt beneficial fleas, lice, and tapeworms will have a better chance of survival (True), and therefore the fleas, lice, and tapeworms handed down from the past are likely to be useful to humans, even if they cannot understand why. The latter conclusion is false. The former conclusion might be true, but like the latter, it does not follow.

The importance of this point can be illustrated by comparing a couple of imaginary histories. First, suppose that at a certain time a continent is inhabited by ten tribes, of equal population and level of civilization (by whatever standards may be supposed to be relevant). The continent is sealed off from outside cultural influences, and all cultural influences of one tribe on another are somehow prevented. We return to this continent a few thousand years later. We find that nine of the tribes have expanded enormously in population and have achieved dazzling successes in the arts and sciences. The tenth tribe has dwindled, and its people are as wretched and ignorant as can be imagined. Further, the culture of this tenth tribe has changed little, while the cultures of the nine tribes have undergone repeated transformations, so that the continuities are less easy to trace than are those between the Hittites and the inhabitants of Los Angeles. For our second historical scenario, suppose that everything is just like the first, except that (1) intertribe cultural influences are permitted, and (2) on our return visit we find that all of the ten tribes are profoundly affected by the culture of the tenth tribe. (For instance, they have all been converted to the tenth tribe's language and religion, and identify themselves as descendants of the tenth tribe.) In the first case, we would not be tempted to conclude that the culture of the tenth tribe possessed, or was likely to possess, superior conduciveness to human survival and well-being. In the second case we might be so tempted, but this conclusion would be just as unwarranted as in the first case.

A theory of natural selection of memes is worth elaborating, but it is surely liable to be limited. In particular, we cannot help noticing that humans are inclined to discard those practices they come to believe to be harmful, and adopt those practices they find useful—a fact excluded alike from Hayek's theory and from the above.

Traditional Practices as Instruments

Hayek presents two alternatives: Either an institution was designed by a single mind and its operation conceived in advance, or it evolved by a group selection process entirely independent of human understanding. But there is a third possibility, which I suggest accounts for most of cultural evolution: that evolution proceeds by a process in which design and insight play an indispensable role, though the process as a whole is undesigned.

Consider the evolution of the bicycle (or of the piano, military strategy, the suit, the rifle, numbers, harmony). Here each model is produced consciously by a designer, guided by a traditional pattern the designer did not invent. The modifications are not random; they could be made only by conscious intelligence, though some might have been originated unreflectively or even by mistake. These modifications are not based on an exhaustive knowledge of the artifact; it is an error to suppose that because we have designed and built something we know much about it. Many proposed modifications are stillborn, others have their vogue and are then abandoned, whilst a few endure for a considerable period, perhaps becoming permanent features—like the bicycle chain or zero in mathematics. What determines the fate of an innovation is a “community judgement” (i.e., the judgments of numerous individuals) on whether the innovation *works*. People have common standards they can use to settle this question, at least provisionally.⁴⁶

The evolution of the bicycle shares some qualities with Hayekian evolution. The course of the development is spontaneous, and it would obviously be unwise to try to direct it along a predetermined path. It may even be seen as a form of natural selection, since although conscious choice is vital, no single person’s choices (or the choices suggested by a single formulated program) determine the evolutionary path. Indeed, it is just about conceivable that an innovation might be made and disseminated by an almost unconscious process, a slip of the pen at the drawing board, or a misreading of figures at the factory, followed by careless imitation. A modern bicycle could not have been devised “from scratch,” without generations of experience of trial and error. Numerous promising-looking innovations that were unsuccessful and a few, perhaps inauspicious, departures that worked have cumulatively resulted in something that embodies, in a sense, more knowledge than any individual could possess.

On the other hand, we did not have to wait, in order for the bicycle to improve, for those civilizations that chose silly bicycle designs to be exterminated, outbred, or conquered by those with better bicycles, nor for the bicycle to make such a contribution to the efficiency of one group that this group became mysteriously yet evidently superior to other groups, so that members of the other groups applied to join the superior group, thereby incidentally and uncomprehendingly adopting its bicycle design. It would not matter if the more successful bicycles were made by patently unsuccessful, declining, and despised groups;

insofar as the bikes worked, they would be copied. Every stage in the bicycle's evolution depended upon some people's being able to appreciate what was an improvement and what was not. Even the hypothetical case of the error at the factory leading to an almost wholly unconscious innovation depends upon conscious judgment in a negative way; this departure was preserved, whereas most would have been corrected, because it failed to obtrude upon anyone's attention as an inferior construction. People had to have some idea of what a bicycle was *for*. The evolution of the bicycle would not be explicable on the hypothesis that they thought it was a sewing machine, still less on the hypothesis that they had no idea what it was.

The bicycle evolved by trial and error. This phrase is literally somewhat misleading, since in the notion it conveys, the preservation of success rather than recognition of error is the important thing. Deliberate trial is not essential. A cat learns how to get out of a box by pressing a lever. The cat could have fallen against the lever at a time when it had, so to speak, given up trying to get out of the box. What matters is that the cat will repeat the lucky motion in future, whenever it wants to get out. Trial and error does presuppose goal-seeking, and the capacity to preserve those practices that improve prospects for goal attainment. Intellectual insight will probably help. The application of the phrase "trial and error" to Darwinian selection is much looser and inclined to be misleading, since no goal-seeking is involved. One would be unlikely to say that sand and pebbles had come to line seashores because of trial and error. In Hayek's account of cultural group selection, there is strictly no trial and error.

I propose that social practices, or assemblages of practices, no matter how narrowly or abstractly conceived (a handshake, punishment for adultery, private property), evolve in much the same way as did the bicycle. They are vehicles, implements, or instruments that enable people to get what they want, and people cling to them or discard them according to whether they have been found to work. This hypothesis accounts for all of the facts accounted for by Hayek's natural selection theory, and there are numerous facts Hayek's theory does not explain, and indeed prohibits, that are easily explained analogously with the evolution of the bicycle. Most striking of these is the rapid pace of cultural evolution, far too fast for the weeding-out of whole societies.

The bicycle evolved in the way it did not only because of improvements in design, but also because of changing purposes (traveling to work, traveling as part of work, recreation, exercise, sport) and a changing environment (changes in roads and paths, other forms of transport, cyclists' incomes). Similarly, a traditional practice will respond to environmental changes, which will largely be changes in other practices. Practices have to be compatible with other practices, and it may help if they are complementary. A social practice may work at one time, and cease to work because of changes in other practices. Here we make contact with one of the well-worn themes of sociology, the inter-

action between different institutional spheres: the economy, family, state, religion, and so forth. We also encounter the theory associated with historical materialism: that changes in technical methods of production (“productive forces”) will cause people to change their traditional ways of organizing themselves interpersonally in production (“relations of production”). In turn these changes will cause other kinds of practices to fail to work as satisfactorily as they did before. Adjustments will be made gradually where possible, but occasionally some cumulative changes will build up an increasing tension with respect to some traditional practices that cannot be adapted in the desired direction except by sudden, radical transformation.⁴⁷

A practice may be regarded as valuable in itself, much in the way that a cyclist might develop an affection for a particular bicycle or model of bicycle. When we say that a practice is “valuable in itself,” we mean that the production structure is less roundabout; utility is derived more directly, in the same way that eating provides utility more directly than does ploughing. And where practices enhance their utility by being similar or mutually interlocking, there are economies of standardization. Greetings, word usages, family obligations, or property rights derive some advantage for their practitioners from being standardized throughout society, in much the same way as electric power points, coins, or tape cassettes come to be standardized. Out of a range of possible practices, there are advantages in picking *one* option and sticking to it, quite apart from the comparable merits of the options. There is a built-in traditionalism, since the cost of switching to a new standard may be higher than the increased utility derived from an alternative practice, which would therefore be better only in an imaginary universe where we could start from scratch.

Cultural evolution depends upon humans being able to judge what is useful to them, and generally does not operate independently of utility; it cannot be ruled out that humans may improvise themselves into a corner, so that they have to take a fresh look at their overall situation, and sweep aside many customary ways in order to release constraints upon progress. There is no area of cultural life that proceeds without the need for conscious commitment by individuals. No consciously maintained rule or practice would last long in any society unless large numbers of individuals saw good reason to persist with it. Few refrains are more common, throughout history and throughout the world, than that of elders bemoaning the fact that youngsters are deserting the old ways. And it’s true—they always are. Hayek suggests that people follow rules without thought, and the rules endure. This is true in some cases, like unnoticed regularities in language (dubiously called “rules”). But in the sorts of cases with which Hayek is more concerned, like property, law, and morality, I suggest that typically people strive hard to maintain rules and are often doomed to fail.

An explanation of the origin of private property in terms of trial and error on the basis of perceived advantage goes back some centuries and has recently been

restated by economists specializing in the study of property rights.⁴⁸ Recorded instances of the development of private property among peoples formerly adhering to common property⁴⁹ accord well with this theory and do not corroborate cultural group selection. I suggest that private property was never introduced or maintained because it “benefited society” or “helped groups to survive,” but for reasons of evident practical utility noted by Aristotle, Cicero, Grotius, and Pufendorf. Private Property was maintained because, in the judgments of numerous individuals over the centuries, it worked. It led to the growth of a market whose extent and intricacy could never have been foreseen. Intelligent improvisation opened up possibilities for human welfare unsuspected by the improvisers.

Nonhuman Cultural Evolution

Hayek makes references⁵⁰ to the celebrated account of the macaque monkeys observed by Kawamura on Koshima Island, but this appears to bear out the cumulative trial-and-error theory sketched above and to be difficult to reconcile with cultural group selection. To lure monkeys to a place where they could be more easily observed, scientists scattered grain and sweet potatoes on the beach. One monkey invented the washing of sweet potatoes in the sea. This innovation was copied by other monkeys, until it spread by imitation to most of the population. The same “genius” then invented the separation of sand from grains by throwing them on the water surface, and this too spread by imitation. Because of their new-found interest in the sea, the monkeys learned to swim and dive for seaweed, which in turn led them to travel to other islands.⁵¹ A cultural revolution occurred without any group selection, and many thousands of times faster than would have been possible by group selection. The new practices persisted both with inventor and imitators because they enabled these individuals to be more effective at attaining their prior goals. The practices were not preserved because they helped the group, though presumably they did that incidentally. Even if they had resulted in net harm to the group, they would still have spread among individuals and, given some stray interchange of individuals among groups, could have spread among all groups long before there was any appreciable differential effect upon groups. Irreconcilable with cultural group selection, the Koshima observations are also incompatible with Hayek’s alternative hypothesis, that new practices become established only when the respected elders accept them. Among the Koshima macaques, new practices were always invented and most readily imitated by the young. The old either followed tardily or died off without benefit of the innovations.⁵²

Earlier Liberal Writers on Social Evolution

Hayek frequently refers to earlier liberal writers in such a way that the reader might conclude that they too advocated cultural group selection in some form.⁵³

This inevitably follows from dividing all accounts of the origin of social institutions into nonevolutionary and group-selectionist.

I will here briefly mention three of the thinkers most often cited by Hayek in this connection: Hume, Ferguson, and Carl Menger. Hume presents the growth of social institutions as the outcome of individuals consciously pursuing their own interests.⁵⁴ Humans improvise their social order by developing what they find to hand. For example, the first social group was a natural extension of the family.⁵⁵ Because their “self-love” tends to lead to conflicts, individuals see the need for general rules that apply to everyone. Hume cautions: “I here only suppose those reflections to be form’d at once, which in fact arise insensibly and by degree”⁵⁶—a different matter from saying that the conscious “reflections” do not arise at all, though even that could occur in an improvisatory, trial-and-error scenario. Adam Ferguson sees Man as an ingenious contriver, and it is precisely from this inventive faculty that he sees social change flowing, though not in the direction anyone expects.⁵⁷ Menger distinguishes between two sorts of social phenomena, those which are “the results of a *common will* directed toward their establishment (agreement, positive legislation, etc.)” and those which are “the unintended result of individual human effort (pursuing *individual interests*).”⁵⁸ In Hume, Ferguson, and Menger, social evolution is an outcome of intelligent individual behavior, and there is no hint of cultural group selection, which would seem to offer a belated rationale for the organicist and historicist notions that both Carl Menger and Hayek have been at pains to repudiate.⁵⁹

A Few Conclusions and Suggestions

Among considerations arising from the above discussion, I would urge that (1) It is a mistake to appeal to cultural group selection to provide a defense for policies that rational appraisal would on other grounds reject; (2) there is nothing that makes social orders optimal or efficient, except insofar as many seriously suboptimal or inefficient formations may be eliminated incidentally by rational policy-making or trial-and-error groping; (3) Hayek views society as a frail hothouse bloom that requires the most delicate care, whereas it is more in the Liberal tradition (and more accurate) to regard civilization as a robust weed, virtually impossible to stamp out; and (4) cultural group selection, which became prominent in Hayek’s writings in the late 1960s and has grown in prominence ever since, tends to go against some of his earlier (and sounder) arguments against methodological collectivism and historicism.

NOTES

1. F. A. Hayek, *Law, Legislation and Liberty*, vol. 1, *Rules and Order* (London: Routledge, 1973), pp. 8–9.
2. *Ibid.*
3. F. A. Hayek, *Studies in Philosophy, Politics and Economics* (London: Routledge, 1967), p. 111.

4. F. A. Hayek, *New Studies in Philosophy, Politics, Economics and the History of Ideas* (London, Routledge, 1978), p. 9.
5. F. A. Hayek, *Law, Legislation and Liberty*, vol. 2, *The Mirage of Social Justice* (London, Routledge, 1976), p. 5.
6. F. A. Hayek, *Law, Legislation and Liberty*, vol. 3, *The Political Order of a Free People* (London: Routledge, 1979), p. 155. (Footnote number omitted.)
7. F. A. Hayek, "The Rules of Morality Are Not the Conclusions of Our Reason," Plenary Lecture, Twelfth International Conference on the Unity of the Sciences, pp. 5, 7. (Grammatical correction: "became" substituted for "becoming.")
8. Hayek, *Law*, vol. 3, p. 160.
9. *Ibid.*
10. "On this the study of still surviving primitive people can tell us little." *Ibid.*, p. 156.
11. Hayek, *New Studies*, p. 20.
12. Hayek, "Rules of Morality," p. 5.
13. Hayek, *Law*, vol. 3, p. 202, n. 39.
14. *Ibid.*, pp. 159, 166. In particular, Hayek lays greatest emphasis on the successful society's greater ability to increase its size by recruiting new members voluntarily.
15. See, for instance, Eugene Grebenik et al., Council of Europe, *Population Decline in Europe, Implications of a Declining or Stationary Population* (London: Arnold, 1978).
16. Peter Worsley, *The Trumpet Shall Sound, a Study of 'Cargo' Cults in Melanesia* (London: MacGibbon and Kee, 1975); and Peter Lawrence, *Road Belong Cargo, a Study of the Cargo Movement in the Southern Madang District, New Guinea* (Manchester: Manchester University Press, 1964)
17. Hayek, *Law*, vol. 3, p. 202, n. 39.
18. *Ibid.*, p. 156.
19. *Ibid.*, p. 160.
20. See, for example, C. Daryll Forde, *Habitat, Economy and Society, A Geographical Introduction to Ethnology* (New York: Dalton, 1963); and Edward A. Hoebel, *The Law of Primitive Man, a Study in Comparative Legal Dynamics* (New York: Atheneum, 1968).
21. Samuel N. Kramer, *The Sumerians, Their History, Culture and Character* (Chicago: Chicago University Press, 1963).
22. Hayek, *Studies*, pp. 683-72.
23. Hayek, *Law*, vol. 3, pp. 154, 156; and Hayek, "Rules of Morality," p. 4.
24. Hayek, *Law*, vol. 1, pp. 85-88, 94-123.
25. *Ibid.*, p. 88.
26. Hayek, *Law*, vol. 3, p. 167.
27. *Ibid.*
28. Hayek, *Studies*, p. 79.
29. F. A. Hayek, *The Constitution of Liberty* (London: Routledge, 1960), p. 47.
30. What follows is heavily indebted to George C. Williams, *Adaptation and Natural Selection, a Critique of Some Current Evolutionary Thought* (Princeton: Princeton University Press, 1974).
31. At least, this is often stated. But David Hirschleifer pointed out to me that any potentially continuous increase will do; it does not have to be geometric. However, any increase becomes geometric if we assume that the average individual in each generation has the same reproductive capacity.
32. Peter B. Medawar, "An Unsolved Problem in Biology," in *The Uniqueness of the Individual* (London: Methuen, 1957), pp. 44-70.
33. C. R. Hallpike, "Functionalist Interpretations of Primitive Warfare," *Man* 8, no. 3 (September 1973: 451-70).
34. Irenäus Eibl-Eibesfeldt, *The Biology of Peace and War* (London: Thames and Hudson, 1979), p. 182.
35. Hallpike, "Functionalist Interpretations," p. 451.
36. Hayek, *Studies*, p. 70, and *Law*, vol. 1, p. 18.
37. Robert Ardrey, *The Territorial Imperative* (London: Collins, 1967). Hayek was impressed by the later works of Ardrey; see, for example, Hayek's *Law*, vol. 3, p. 197, n. 7.

38. Hayek, *Studies*, p. 70, and *Law*, vol. 1, p. 164, n. 8. Although Darwin had no place for group selection counter to individual selection, group selection theories were frequently advanced by biologists and nonbiologists from at least as early as the 1920s, but no concerted criticisms or extended debate on the subject transpired until V. C. Wynne-Edwards, *Animal Dispersion in Relation to Social Behavior* (Edinburgh: Oliver and Boyd, 1962), which evoked a considerable controversial literature. See George C. Williams, ed., *Group Selection* (Chicago: Aldine, 1971); and Robert N. Brandon and Richard M. Burian, *Genes, Organisms, Populations: Controversies over the Units of Selection* (Cambridge: MIT Press, 1984).
39. David Lack, *Ecological Adaptations for Breeding in Birds* (London: Methuen, 1968). Recent textbooks of evolutionary biology generally have less than two pages on "group selection," and that dismissive. Paul Ehrlich, Richard W. Holm, Dennis R. Parnell, *The Process of Evolution*, 2d ed. (New York: McGraw-Hill, 1974), p. 119. And see the forceful statement in Egbert Giles Leigh, Jr., *Adaptation and Diversity, Natural History and the Mathematics of Evolution* (San Francisco: Freeman, Cooper, 1971), pp. 245–50.
40. For example, David Sloan Wilson, *The Natural Selection of Populations and Communities* (Menlo Park, Calif.: Benjamin/Cummings, 1980).
41. Hayek, *Studies*, p. 69.
42. *Ibid.*, p. 70.
43. Hayek here cites Alexander M. Carr-Saunders, *The Population Problem, a Study in Human Evolution* (Oxford: Clarendon, 1922), which contains an anticipation of the main outlines of Wynne-Edwards's theory, with the focus on humans rather than other animals. The influence of other parts of this work upon Hayek is also highly evident, a fact of interest to students of Hayek's intellectual biography and the "LSE connection."
44. Hayek, *Law*, vol. 3, p. 202, n. 37. In the lecture "The Rules of Morality Are Not the Conclusions of Our Reason," Hayek asserts: "It is at the moment the predominant view among biologists that such group selection is at least not important in Darwinian evolution. I am not wholly convinced by this, but this is a matter for biologists to decide. All that matters to me is that, in the explanation of cultural evolution, group selection is of crucial and central importance" (p. 4). Hayek fails to address the fact that the considerations which led biologists to this conclusion apply, a fortiori, to cultural evolution, along with additional difficulties.
45. Richard Dawkins, *The Selfish Gene* (Oxford: Oxford University Press, 1976), p. 206. And see L. L. Cavalli-Sforza, "Similarities and Dissimilarities of Sociocultural and Biological Evolution," in F. R. Hodson, D. G. Kendall, and P. Tăutu, eds., *Mathematics in the Archeological and Historical Sciences* (Edinburgh: Edinburgh University Press, 1971), pp. 535–41.
46. This does not commit me to pragmatism. Whether something "works" is a brief way of discussing whether it does what is required of it by certain common theoretical standards. One might have to decide whether a line of verse, a passage of counterpoint, the dénouement of a whodunit, a scientific explanation, or a mathematical proof "worked." The expression helps to remind us that we may be able to decide that something works without understanding how it works—though in some cases we might have to understand in order to decide.
47. Karl Marx, *A Contribution to the Critique of Political Economy* (Moscow: Progress, 1970), pp. 20–22.
48. Furubotn and Pejovich, in a summary of this literature, assert that "changes in property rights are triggered by the interaction between the prevailing property rights structure and man's search for ways of achieving more utility." Eirik G. Furubotn and Svetozar Pejovich, eds., *The Economics of Property Rights* (Cambridge, Mass.: Ballinger, 1974), p. 9. (Emphasis removed.)
49. See Harold Demsetz, "Toward a Theory of Property Rights," in *ibid.*, pp. 34–37. Originally in *American Economic Review* 57 (May 1967).
50. Hayek, *Studies*, p. 79, and *Law*, vol. 1, pp. 163–64, n. 7.
51. A summary is provided in Edward O. Wilson, *Sociobiology, the New Synthesis* (Cambridge, Mass.: Belknap, 1975), pp. 170–71, which cites M. Kawai, "Newly Acquired Pre-cultural Behavior of the Natural Troop of Japanese Monkeys on Koshima Islet," *Primates* 6, no. 1 (1965): 1–30. See also S. Kawamura, "The Process of Sub-cultural Propagation among Japanese Macaques," in C. H. Southwick, ed., *Primate Social Behavior* (Princeton: Princeton University Press, 1963).

52. Hayek, *Studies*, p. 79.
53. Hayek, *New Studies*, p. 9. Here Hayek propounds group selection and refers to his earlier essays, "The Results of Human Action but Not of Human Design" (*Studies*, pp. 96–105) and "The Legal and Political Philosophy of David Hume" (*ibid.*, pp. 106–21). But nowhere in these essays does Hayek clearly ascribe any form of group selection to the writers discussed (Mandeville, Savigny, Montesquieu, Ferguson, Josiah Tucker, Hume, Adam Smith), though he occasionally employs phrases that could be taken to describe either cultural group selection or individualistic trial-and-error. Between the *Studies* (1967) and the *New Studies* (1978), cultural group selection had moved to the center of Hayek's thinking.
54. David Hume, *The Philosophical Works*, ed. T. H. Green and T. H. Grose (Aalen: *Scientia*, 1964, reprint of London, 1886), vol. 2, pp. 258 ff.
55. *Ibid.*, pp. 259–60.
56. *Ibid.*, p. 274.
57. Adam Ferguson, *An Essay on the History of Civil Society, 1767* (Edinburgh: Edinburgh University Press, 1966), pp. 6–7, 122.
58. Carl Menger, *Problems of Economics and Sociology* (Urbana: University of Illinois Press, 1963), p. 133. The same idea is repeated many times, e.g., on p. 158.
59. *Ibid.*, passim, especially pp. 144–59; F. A. Hayek, *The Counter-Revolution of Science, Studies on the Abuse of Reason* (Indianapolis: Liberty, 1979), passim, especially pp. 93–152.

Social Science: Making Visible the Invisible Hands

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Introduction: Our Text for Today

“But it is only for the sake of profit that any man employs a capital in the support of industry. . . . As every individual, therefore, endeavours as much as he can . . . to employ his capital . . . that its produce may be of the greatest value; every individual necessarily labours to render the annual revenue of the society as great as he can. He generally, indeed, neither intends to promote the public interest, nor knows how much he is promoting it. . . . By directing . . . industry in such a manner as its produce may be of the greatest value, he intends only his own gain, and he is in this as in many other cases, led by an invisible hand to promote an end which was no part of his intentions. Nor is it always the worse for the society that it was no part of it. By pursuing his own interest he frequently promotes that of the society more effectually than when he really intends to promote it.”

In all *The Wealth of Nations* this motto passage (IV [ii]) must be the one to which reference is most often made. It can well bear all, indeed rather more than all, the attention it does in fact get. For very few even of those who have actually read it seem to become seized of its full significance. I myself met it first over thirty-five years ago, as an undergraduate in the University of Oxford. It was cited then in a popular series of lectures given by G. D. H. Cole, the then Chichele Professor of Political and Social Theory. Like most of us in his audience, Cole could see nothing more here than the occasion for a swift passing sneer. This was, after all, merely a piece of apologetics for those obviously outmoded and altogether indefensible arrangements called by Cole laissez-faire capitalism, the arrangements Smith himself knew only as “the natural system of perfect liberty and justice,” or “the obvious and simple system of natural liberty” (IV [vii] Part 3 and IV [ix]).

Author's note: An earlier, shorter, and narrower version of this paper appeared as “The Invisible Hand” in *Quadrant* (Sydney, NSW) for November 1981, pp. 24–29.

To such principled secularists as Cole, this particular defense was made the more repugnant because it was misinterpreted as a suggestion that these ongoings are benevolently guided by the Invisible Hand of an All-wise Providence.

Certainly Cole and the rest of us were right to see in this passage some defense of pluralistic and competitive capitalism. For it does indeed offer, for that and against monopoly socialist alternatives, an argument for more powerful than anything Cole was able to recognize, or, I will now add, to meet. But where we were utterly wrong was in suspecting Smith of making some sort of antiscientific appeal to supernatural intervention. On the contrary, this text is a landmark in the history of the growth of the social sciences. For—almost a century before Darwin—Smith was uncovering a mechanism by which something strongly suggesting design might come about, indeed, must, quite spontaneously and without direction.

I. What Adam Smith Really Meant

Like so much else in Smith, the argument here begins from an uncynical yet coolly realistic appreciation of our human nature. Any political economy for this world must treat people as we are, not as we might become, yet will not. As George Stigler said in a volume of bicentennial essays: *The Wealth of Nations* is a stupendous palace erected on the granite of self-interest.¹ It is indeed—Scottish granite, and erected also on Scottish self-reliance. “It is not from the benevolence of the butcher, the brewer or the baker that we expect our dinner, but from their regard to their own interest. We address ourselves, not to their humanity but to their self-love, and never talk to them of our own necessities but of their advantages. Nobody but a beggar chooses to depend chiefly upon the benevolence of his fellow-citizens” (I [ii]).

Put in marginally more modern terms, the nub of Smith’s argument is that the most productive, the most wealth-creating, the most economically efficient investment decisions are likely to be made by persons who have some large and direct personal interest in achieving the most satisfactory combination of the maximum security of, and the maximum return on, the capital employed. Of course there is no guarantee that all such persons will get all their decisions right. Even those who do turn out usually to have spotted winners will sometimes pick losers. It is indeed precisely because things are so difficult, and so apt to come unstuck, that anyone concerned to increase the wealth of nations has such an excellent reason for wanting to have the crucial initiatives made, the crucial initiatives taken, always and only by directly and appropriately interested parties.

Also, where and insofar as people are—as Smith nicely has it—“investing their own capitals,” the unsuccessful will, to the extent that they have made bad investments, necessarily be deprived of opportunity to make further costly mistakes, while the successful will by a parallel necessity be enabled to proceed to further and hopefully greater successes. Smith himself appears not to have seized this further point about feedback, although it must be of the last importance in any

consideration of alternative ways of providing for the taking of economic initiatives.

The going alternative to having investment decisions made by persons harboring direct individual interests in the security of the capital and the maximization of the returns is an alternative that we British have in recent decades seen all too much of in our now economically crippled country. This alternative is to have such decisions, but especially the biggest, made by (or somehow emerge from the interactions of) various individuals and groups whose common characteristic is that they are not merely not expected to have, but are often even expected and required *not* to have, any individual—or indeed any—stake in achieving the maximum return on the capital employed.

Being human—like the definitionally grasping capitalists of socialist demonology, and like the rest of us as well—all such persons are inclined to strive to maximize their own utilities; or, for those who prefer the jargon of Mr. Damon Runyon to that of the economists, to do the best they can for themselves and for their families.² The trouble is that the utilities of such persons are very little connected with, if not more or less directly opposed to, the direction of tax moneys into whatever investments will prove maximally wealth-creating.

This is no place for detailed documentation. It should be sufficient, before referring to other sources, to mention two or three specially flagrant British examples: first, the building of the longest single-span bridge in the world, undertaken to buy victory in an especially crucial parliamentary bye-election; second, the continuation of the Concorde program, when the particular Minister most directly responsible just happened to represent the constituency³ of those employed, at unusually high wages, to produce that beautiful piece of economic nonsense; and third, successive decisions to invest still more in various loss-making nationalized industries, decisions reached under pressure from the relevant labor unions and made always without unbreakable guarantees that those unions would then permit the working practices and manning levels which might enable these investments to become profitable.⁴ Certainly none of the various civil servants, politicians, and union barons involved in any of these decisions would have been prepared to subscribe to the equity from their own private pockets or even from any trust funds for which they were individually accountable, though those unions and their political party have recently become eager to raid (other people's) pension funds in order to find further resources to pour into similar economic black holes.

II. Adam Smith and the Other Scottish Founding Fathers

So far we have been giving general consideration to Smith's argument that a free capital market, with all the individual owners of capital seeking the best possible return on any investment made, must tend to maximize the gross national product. It is time to concentrate upon one particular sentence: “. . . he intends only his

own gain and he is, in this as in many other cases, led by an invisible hand to promote an end which was no part of his intentions." It is on his attention, "in this as in many other cases," to such unintended consequences of intended action that we rest Smith's claim to have been one of the founding fathers of the social sciences.

1. To understand that claim is to realize how totally wrong it must be to construe Smith's invisible hand as an instrument of supernatural direction. To do this would be as preposterous as to interpret Darwin's natural selection as being really supernatural selection. For Smith's invisible hand is no more a hand directed by a rational owner than Darwin's natural selection is selection by supernatural intelligence. As we suggested earlier, both Smith and Darwin were showing how something that one might be very tempted to put down to design could and indeed must come about: in the one case without direction, in that direction; and in the other, without any direction at all. By uncovering the mechanisms operative in the two cases, they each made supernatural intervention superfluous as an explanation. Adam Smith's invisible hand is not a hand, any more than Darwin's natural selection is selection. Or—to put the point in a somewhat more forced and technical way—*invisible* and *natural* are in these two cases just as much alien adjectives as are *positive* and *people's* in the expressions "positive freedom" and "people's democracy."

Nor, to return, would it be right to accuse Smith, as he so often is accused, of assuming or asserting that the results of the operations of all such unplanned and unintended social mechanisms are always, if only in the long run, Providentially happy. It is, rather, the Hegelian historicists Marx and Engels who are forever assuming that the universe is so ordered, while all the while contemptuously denying what could alone provide a rational warrant for harboring any such conviction. That sole warrant is a faith that that universe is the creature of the God of Mosaic theism. For is not the prophetic vision of the *Communist Manifesto* the secularized offspring of the Christian historicism of Augustine's *City of God*? Is not the promised classless society, guaranteed conflict-free and truly human, a surrogate for the Kingdom of God on Earth?⁵

The most elegant refutation of the charge against Smith is to be found in his treatment of the division of labor. Certainly, Smith writes, this "is not originally the effect of any human wisdom, which foresees and intends the general opulence to which it gives occasion. It is the necessary though very slow and gradual consequence of a certain propensity in human nature which has in view no such extensive utility: the propensity to truck, barter, and exchange one thing with another" (I[*ii*]). But Smith himself goes on to describe and lament the dehumanizing consequences of extreme developments in this occasion of opulence. It is these purple passages that Marx himself quotes in *Capital* to support his own polemic on this count, although neither there nor anywhere else does he even attempt to show how and why socialism can be relied on to make an end of these evils.

Another example of a social mechanism producing results not merely other than but even flatly contrary to the intentions and best interests of the participants is what Garrett Hardin has labeled "the tragedy of the commons."⁶ In this "tragedy" access to some resource is common to several persons without the restrictions of private property. Those sharing that access will all be inclined (and rationally so) to make the most use they can of that resource, which will therefore tend to be wastefully and rapidly exhausted or destroyed: a result universally unintended and unwanted. In our contemporary world one appalling token of this type is the ruin of Sahel. There, as Kurt Waldheim has warned, "the encroachment of the desert threatens to wipe four or five African countries from the map." Certainly other causes, such as protracted drought and the activities of high-paying and tax-exempt UN agencies, have exacerbated the problem. But the basic trouble is that on unenclosed land, no one has an individual interest in doing what stops, or not doing what starts, desertification.⁷ Notoriously, as philosophers should have learned first from Aristotle's critique of Plato's *Republic*,⁸ everyone's business tends to be no one's. By contrast, as one of Smith's own younger contemporaries was wont to say: "Give a man the secure possession of a bleak rock and he will turn it into a garden: give him a nine year's lease of a garden, and he will convert it into a desert."⁹

Nor was it only Smith who, "in this as in many other cases," was systematically developing a naturalistic approach to social phenomena. He was in fact one of a small group, a main part of the "Edinburgh Enlightenment." This group also included, among others, the sometime Chaplain to the Black Watch and later Edinburgh professor Adam Ferguson, William Robertson, and—slightly older and starting to publish much earlier—David Hume.

It is to the point here to recall that Hume presented his own first published work not as an essay in conceptual analysis but as *A Treatise of Human Nature*, "an attempt to introduce the experimental Method of Reasoning into Moral Subjects."¹⁰ Even where he is dealing with what is in the narrowest modern sense most strictly philosophical, Hume's characteristic contentions open the way to the open-minded discovery of causes altogether unlike their effects: "If we reason *a priori*," he argues in the first *Inquiry*, "anything may appear able to produce anything" (XII [iii]), whereas the contrary assumption "is the bane of all reasoning and free enquiry" (IV [i]).

The same undogmatic and naturalistic approach to "Moral Subjects" was equally typical of the others, too. Thus, in a long methodological note to the Proofs and Illustrations of his *History of Scotland*, first published in 1759, Robertson compares the institutions and customs of the Germans, as seen by Caesar and Tacitus, with those of the North American Indians, as studied by Father Charlevoix and Monsieur Lafitour: "A philosopher," Robertson concludes, "will satisfy himself with observing, that the characters of nations depend on the state of society in which they live, and on the political institutions established among them; and

that the human mind, whenever it is placed in the same situation, will in ages the most distant and in countries the most remote, assume the same form, and be distinguished by the same manners.”¹¹

Later, in his *History of America*, first published in 1777, one year after *The Wealth of Nations*, Robertson unwittingly staked a claim to have anticipated Marx in formulating what came to be called the materialist conception of history: “In every inquiry concerning the operations of men when united together in society, the first object of attention should be their mode of subsistence. Accordingly, as that varies, their laws and policy must be different.”¹²

2. A second point to emphasize is that what Smith was offering was evolutionary as opposed to creationist. A sophisticated capital market is not put together overnight, to open on a statutorily determined Vesting Day; and the division of the labor “is not originally the effect of any human wisdom. . . . It is the necessary consequence of a certain propensity in human nature. . . .” Nine years earlier Adam Ferguson had made the same point quite generally:

Mankind in following the present sense of their minds, in striving to remove inconveniences, or to gain apparent and contiguous advantages, arrive at ends which even their imagination could not anticipate. . . . Every step and every movement of the multitude, even in what are called enlightened ages, are made with equal blindness to the future; and nations stumble upon establishments, which are indeed the result of human action but not the execution of human design.¹³

(a) The same seminal passage at once proceeds to enforce the point that—at any rate in default of sufficient independent evidence of their particular existence—there is no longer any call to postulate great creative culture heroes to explain the origin of such “establishments”:

If we listen to the testimony of modern history, and to that of the most authentic parts of the ancient; if we attend to the practice of nations in every quarter of the world, and in every condition, whether that of the barbarian or the polished, we shall find very little reason to retract this assertion. . . . We are therefore to receive, with caution, the traditionary histories of ancient legislators, and founders of states. Their names have long been celebrated; their supposed plans have been admired; and what were probably the consequences of an early situation is, in every instance, considered as an effect of design. . . . If men, during ages of extensive reflection, and employed in the search of improvement, are wedded to their institutions, and, labouring under many inconveniences, cannot break loose from the trammels of custom; what shall we suppose their humour to have been in the times of Romulus and Lycurgus?

Durkheim once said in this connection, in his essay “Montesquieu and Rousseau, Precursors of Sociology,” that the myth of the inspired and revolutionary legislator had, more than anything else, been the hindrance to the development of his subject. Notice too that there are parallel, indeed still more forceful objections to

the hypothesizing of creation not by an individual but by a collective. Already in the *Treatise* Hume had deployed many of these objections to dispose of suggestions that the actual origins of all governments must have been in historical contracts: "Philosophers may, if they please, extend their reasoning to the suppos'd *state of nature*; provided that they allow it to be a mere philosophical fiction which never had, and never cou'd have any reality" (III [ii] 2).¹⁴ Later he speaks in precisely parallel terms about the legend of historical social contracts made to end that state of nature (III [ii] 8).

(b) Hume's insight here is that not only government but also other fundamental social institutions neither in fact arose nor could have arisen through a contract from a presocial state of nature, if only because the very act of promising already essentially presupposes the social institution of language.

Hume's own solution to this problem of actual origins is subtle, hardheaded, and profound—notwithstanding that some of the terms in which he states that solution must, unfortunately, suggest the sociologically unsophisticated crudities he himself is striving to reject. Where his less enlightened opponents tell tales referring back to deliberate foresight and contractual agreement, Hume argues that the fundamental social institutions could not have originated from this sort of planning. What is possible is that recognitions of common interest will lead to the regulation of conduct in ways that are not, and often could not be, derived from prior contracts:

Two men, who pull the oars of a boat, do it by an agreement or convention, tho' they have never given promises to each other. Nor is the rule concerning the stability of possession the less deriv'd from human conventions, that it arises gradually, and acquired force by a slow progression. . . . In like manner are languages gradually establish'd by human conventions without any promise. In like manner do gold and silver become the common measures of exchange (III [ii] 2).

To the philosopher, and not to the philosopher only, that penultimate illustration is the most impressive of all. To think that the natural languages, formations the richness and subtleties of which it is so hard even faithfully to delineate, must be in the main evolved (and not planned) byproducts of the actions and interactions of people who were themselves, whether individually or collectively, incapable of designing anything of comparable sophistication! (In what language, after all, would the Select Committee charged with the task of designing the first natural language have conducted its deliberations?)

It is no wonder that Ferguson became lyrical: "this amazing fabric . . . which, when raised to its height, appears so much above what could be ascribed to any simultaneous effort of the most sublime and comprehensive abilities." Indeed, he goes on, "The speculative mind is apt to look back with amazement from the height it has gained; as a traveller might do, who, rising insensibly on the slope of a hill, should come to look from a precipice of almost unfathomable depth,

to the summit of which he could scarcely believe himself to have ascended without supernatural aid.”¹⁵

The eccentric and studiously old-fashioned Lord Monboddio, who surely knew as much about linguistics as any of his contemporaries but who was not so fully seized of the evolutionary possibilities, takes up Ferguson’s hint of some supernatural aid. He “can hardly believe but that in the first discovery of so artificial a method of communication, men had supernatural assistance.” So he is “much inclined to listen to what Egyptians tell us of a God, as they call him, that is an intelligence superior to man, having first told them the use of language.”¹⁶

3. The third main comment consists in developing a distinction that seems not to have been made either by the Scottish founding fathers themselves or by their most sympathetic modern interpreter, F. A. Hayek. In a posthumous masterpiece published a year or so later than *The Wealth of Nations*, Hume recognized that something which had not been designed either by one individual or even by a committee might nevertheless be the ultimate product of innumerable more or less intelligent initiatives. In Part V of the *Dialogues concerning Natural Religion*, Philo is scripted to say:

If we survey a ship, what an exalted idea we must form of the ingenuity of the carpenter, who framed so complicated, useful and beautiful a machine? And what surprise must we entertain, when we find him a stupid mechanic, who imitated others, and copied an art, which, through a long succession of ages, after multiplied trials, mistakes, corrections, deliberations, and controversies, had been gradually improving?

The distinction needed is the distinction between (1) social mechanisms producing results unintended by, and even contrary to the wishes of, those whose actions constitute the operations of these mechanisms, and (2) the generation of what may suggest brilliant individual or collective design through the not intentionally and collectively coordinated initiatives and responses of various persons or groups of persons, most of whom cannot have been directly acquainted with one another. It is often said that no great work of art ever emerged from a series of committee meetings. (But what about that masterpiece of translation, the King James Bible?) yet some of the greatest—*The Iliad* and *The Odyssey*, for instance—surely were the ultimate achievements of successive generations, with many individual bards making their several anonymous contributions piecemeal.

The contemplation of either of the two kinds of phenomena just distinguished should teach us how fallacious it is to argue that if something is the product or result of conscious human agency, then it must always be in practice possible radically to redesign and reshape that product or that result in such a way that it shall the better accommodate the wishes of the persons concerned. The cases for the very possibility of overall central planning and control, to say nothing of the further cases for the superior effectiveness of such planning, have to be argued separately in every different context; and, at least in the most complicated,

the presumption must be strongly contrary. Descartes was thus quite simply wrong when, in Part II of the *Disclosure on Method*, he made his characteristic claim that there is, typically, “less perfection in works composed of several portions, and carried out by the hands of various masters.”¹⁷ So, too, and consequently, is the entire tradition that echoes a cry of that early French socialist Etienne Cabet: “Nothing is impossible for a government which really wills the good of its people.”

III. Marx and Engels as Poor Hegelian Pupils of the Great Humean Scots

Not surprisingly, Marx, who certainly studied both Smith and Ferguson, missed most of the present message. On another occasion I would argue that neither Marx nor Engels ever mastered the secret of the incomparable success of competitive capitalism in advancing economic growth—despite the involvement of Engels throughout his working life in the development of that mini-multinational corporation, Ermen and Engels, and notwithstanding that in the *Communist Manifesto* they together composed one of the most eloquent of all tributes to the world-historical impact of this success. (I refer, of course, to the section on the rise of the bourgeoisie: “The cheap prices of its commodities are the heavy artillery with which it batters down all Chinese walls . . .” and so on.)

1. The trouble with Marx and Engels, and, in consequence, the trouble for us here, is that they were concerned not so much with understanding as with making an end of “the obvious and simple system of natural liberty.” Nor, we may perhaps add, does there appear to be any evidence that Engels in his business career was ever involved in the taking of any major initiative, either deciding to start up one entirely new operation or deciding to shut down another complete operation. The enormous labors of Marx in the British Museum were directed toward the discovery of empirical support for the historicist predictions of the *Communist Manifesto*, predictions that had in the first place been derived from abstractly philosophical rather than concretely sociological analyses. But be all that as it may. For now and for us, it must suffice to indicate only their failure to appreciate the full significance for social science of the investigation of the unintended consequences of intended and individual actions.

In a nutshell my suggestion is that, under the continuing influence of Hegel, albeit a Hegel long since stood on his head, they were unwilling to accept, always and consistently, that the main subject matter of these sciences must be the mechanisms producing such consequences, their chief business the making visible of such invisible hands. Instead they both hankered after materialist analogues of the transcendent Cunning of Reason, directing people to achieve collective ends other than and independent of whatever their own individual purposes might happen to be: These were to be transcendent and offstage ongoingings rather than immanent and onstage transactions.

By far the most striking and important example of this unwillingness, and of this hankering, it provided by their insistence that always and everywhere the state is the mere creature of a ruling class or classes, and hence that politics must always be secondary to economics. Consider, for instance, two claims from the *Communist Manifesto*: first, that “the executive of the modern state is merely a committee for managing the economic affairs of the whole bourgeoisie . . .”; and, second, that “political power, properly so called, is merely the organized power of one class for oppressing the other.” But now, if we are thus to be assured that those who seem to be the rulers, the men of power, really are the independently powerless creatures of various outside interests, then we have to demand, not only as social scientists but also as practical people, accounts of the effective checks and pressures by which those external collectivities contrive always to keep these merely seeming rulers subordinate to their own actual control.

If Marx had ever tried to provide such accounts, then he could scarcely have failed to discover that it is not by any means true that the manipulators of political power are always and everywhere the subservient creatures of outside class interests. No doubt cabinets in Britain, from the Glorious Revolution until the great Reform Bill, were devoted to the interests of—indeed then very largely consisted in members of—the landowning class. But elsewhere, and in other periods, it is all too easy to find examples of civilian rulers or military commanders pursuing ends of their own, ends quite independent of an even flatly contrary to any interests attributable to economic classes outside the state machine.¹⁸ After all—to put things at what is at the same time not only the simplest but also the most fundamental level—it is only insofar as, and to the extent that, there are men with guns able and willing to maintain and defend the property rights of the rich that rich people can possess that access to political power, which, allegedly, riches always offer. Those major industrialists, for instance, who financed the rise of Hitler’s National Socialists soon discovered, once he was secure in office, that they were the suppliants now.

This Marxist failure—indeed, more truly, this Marxist refusal—to investigate actual and possible social mechanisms through which rulers may be made accountable to those whom they rule has, among the faithful, continued to this day; and this despite the ever accumulating evidence of how totally parties of the new Leninist type can exercise autonomous and arbitrary rule over a whole society—not least over the class of which they profess to be the devotedly representative leading cadres. Consider, for instance, Poland, and how Solidarity, the ten-million-strong union of the Polish workers, was destroyed almost overnight by the state machine of army, police, and party.

In the face of all this—or even without all this, and given only the most modest experience of institutions and affairs—how preposterous it is, and how scandalously frivolous, for anyone to speak of the state necessarily “withering away,” and that for no other or better reason than that it is supposed that it is going to lose the function which, it is alleged, the first states were originally established to

fulfill. This thesis, and the whole supporting argument in *Anti-Dühring* and wherever else, is high-flying Hegelian metaphysics or a secular revealed religion-substitute; it is not down-to-earth, this-worldly social science.

2. Already paradigm cases of (would-be) wholesale utopian social engineers, Marx and Engels thus also became equally paradigmatic methodological holists. Those who have had difficulty identifying this kind of beast from the descriptions provided by Popper in *The Poverty of Historicism* will value the gloss offered by J. W. N. Watkins in a previously private letter:

Social scientists can be roughly and crudely divided into two main groups: those who regard social processes as proceeding, so to speak, under their own steam, according to their own nature and laws, and dragging the people involved along with them; and those who regard social processes as the complicated outcome of the behaviour of human beings.¹⁹

One source from which all this emerges with tolerable clarity is that retrospective review, *Ludwig Feuerbach and the End of Classical German Philosophy*. Engels there contrasts prehuman biological evolution with “the history of the development of human society.” In the latter “the actors are all endowed with consciousness, are men acting . . . working towards definite goals; nothing happens without a conscious purpose, without an intended aim.” Nevertheless, Engels insists, “the course of history” is governed by necessitating laws, “where on the surface accident holds sway, there actually it is always governed by inner, hidden laws. . . .”

“Men make their own history,” the following paragraph begins, boldly. Yet there is a but: “But . . . we have seen that the many individual wills active in history for the most part produce results quite other than those intended—often quite the opposite. . . .” So far so good. The moral Engels draws, however, is not that the social scientist needs to study the mechanisms through which particular intentions produce alien or even contrary results. In his view the proper objects of investigation are hidden, transcendent causes, rather than anything immanent in the activities themselves. For Engels “the further question arises: What driving forces . . . stand behind these motives? What are the historical causes which transform themselves into these motives in the brains of the actors?”²⁰

Soon it emerges that history is not, after all, really made by innumerable individual men acting and interacting. The ultimate historical causes are instead largely unconscious and collective: “It is a question of investigating the driving powers which—consciously or unconsciously—lie behind the motives of men who act . . . and which constitute the real ultimate driving forces in history . . . classes. . . .”²¹ Where the idealist Hegel had discerned direction by the invisible and cunning hand of presumably conscious Reason, the still Hegelian materialists Marx and Engels saw individual men as the for the most part unwitting creatures of direction and control exercised by the necessarily unconscious collective intentions of hypostatized classes.

Certainly there is a great deal, especially in *Capital*, about how certain social consequences are bound to follow, consequences the individual agents themselves surely do not intend, while the entire argument, above all in Volume I, is supposed to show that the capitalist mode of production cannot but develop in one particular direction. It supposedly cannot but so develop, inasmuch as all capitalists find that, whatever their own individual preferences, they nevertheless and willy-nilly have, if they intend to remain capitalists, to behave in ways that must inevitably lead to the consummation foretold by Marx—a consummation that is, of course, neither desired nor intended by the capitalists themselves. For example, Marx claimed: “Capitalist production involves conditions which, independently of good or bad intentions, permit only a temporary relative prosperity of the working class, and always only as a forerunner of a depression.”²²

In his summary in *Anti-Dühring*, a work read to and approved by Marx before his death, Engels puts this thesis of *Capital* more fully and more emphatically:

In other words, even if we exclude all possibility of robbery, violence and fraud; even if we assume that all private property was originally produced by the owner's own labour; and that, throughout the whole subsequent process, there was only exchange of equal values for equal values; even then the progressive development of production and exchange would necessarily bring about the present capitalist mode of production; . . . the whole process is explained by purely economic causes: robbery, force, and the assumption of political interference of any kind are unnecessary at any point whatever.²³

It is precisely with that insistence upon the sufficiency of economic causes that we pass from what is at least trying to be social science into mystification and magic. In dealing with these supposedly sufficient supposed causes themselves, Marx sees himself as studying essence as opposed to accidents, reality in contrast to mere appearance, material foundations rather than insubstantial ideological superstructure. Here he does have some claim to be rated among the founders of economic sociology.²⁴ But that claim cannot be allowed to extend to his prophesyings of the supposed truly magical effects these supposedly all-powerful economic causes are, on his sheer authority, guaranteed to produce: that the class to end all classes will, in very short order and irresistibly, introduce a secular version of the Kingdom of Heaven on Earth; that in this new order “the free development of each will be,” in some more than merely tautological sense, “a condition of the free development of all”; and so on.

Contemporary Marxists love to accuse the rest of us of mystification and to claim that they and they alone are the “Critical Sociologists.” The truth is, of course, that their own bigoted insistence on the magical subordination of military, political, and police power to supposedly ruling economic classes is itself quintessential mystification. Since this thesis is manifestly false, it can only be, and therefore by our self-styled “Critical Sociologists” is, defended by pretentious obfuscation:

The members of the state apparatus belong, by their class origin, to different classes, they function according to a specific internal unity. Their class origin—*class situation*—recedes into the background in relation to that which unifies them—their *class position*—that is to say, the fact that they belong precisely to the State apparatus and that they have as their *objective function* the actualization of the role of the State. This in turn means that the bureaucracy, as a specific and relatively “united” social category, is the “servant of the ruling class, not by reason of its class origins, which are divergent, or by reason of its personal relations with the ruling class, but by reason of the fact that its internal unity derives from its actualization of the objective role of the State. The totality of this role itself coincides with the interests of the ruling class.”²⁵

Well, thanks for the explanation. Now it is all perfectly clear!

Notes

1. A. S. Skinner and T. Wilson, eds., *Essays on Adam Smith* (Oxford: Clarendon, 1976), p. 237. On several occasions when I have read an earlier version of this paper to largely socialist academic audiences, desperate opponents have denounced the supposedly parochial assumptions allegedly made here about a universal human nature. Whatever may or may not be true about the hairy Ainu or any other darling tribe of the anthropologists, the constant denunciations of “speculators” in the press of the Soviet Empire make it obvious that citizens there are still not adjusted to or worthy of a supposedly selfless, collectivist utopia.
2. See almost any contribution to the recent, rapidly growing literature on the economics of public choice. There are, for instance, three introductory collections, all from the Institute of Economic Affairs and all, presumably, edited by A. Seldon: *The Economics of Politics* (1978); *The Taming of Government* (1979); and *The Emerging Consensus* (1981). Compare D. Runyon, *Runyon on Broadway* (London: Constable, 1950).
3. Constituencies are equivalent to congressional districts in the United States; and, in Canada, to ridings.
4. On the general record of the British nationalized industries, see G. and P. Polanyi, *Failing the Nation: The Record of the Nationalized Industries* (London: Fraser Ansbacher, 1976); J. Redwood, *Public Enterprise in Crisis* (Oxford: Blackwell, 1980); and R. Pryke, *The Nationalized Industries: Policies and Performance since 1968* (Oxford: Robertson, 1981). For more particular cases, see F. Broadway, *Upper Clyde Shipbuilders*; C. Jones, *The £200,000 Job*; J. Bruce-Gardyne, *Meriden: Odyssey of a Lame Duck*; and J. Burton, *The Job Support Machine* (London: Centre for Policy Studies, 1976, 1977, 1978, and 1979 respectively).
5. For a development of this theme—the Providential utopianism of Marx and Engels—see my “Prophecy or Philosophy, Historicism or History,” in C. Wilson and R. Duncan, eds., *Marx Refuted* (Bath, Eng.: Ashgrove Press, 1987), pp. 68–88.
6. Garrett Hardin, “The Tragedy of the Commons,” in G. Hardin and J. Baden, eds., *Managing the Commons* (San Francisco: Freeman, 1977). For accounts of other similar and sometimes similarly unfortunate social mechanisms, see Thomas Schelling, *Micromotives and Macrobehavior* (New York: Norton, 1978).
7. This is an excellent example for bringing out the importance of having a legal framework giving incentives to enterprises to take account of *all* the costs of production, both direct and indirect, both immediate and long term. If, for instance, someone has property rights in clean air, then industrialists have the most effective of reasons not to pollute. If they do, their production costs will be increased by the costs of compensating those property owners, or otherwise buying out their rights. See, for instance, J. Burton, “Private Property Rights or the Spoliation of Nature,” in S. N. S. Cheung, ed., *The Myth of Social Cost* (London: Institute of Economic Affairs, 1978), pp. 69–91 and especially 83–89.

8. Ernest Barker, ed., *The Politics of Aristotle* (Oxford: Oxford University Press, 1952), book 2, chaps. 1–5.
9. Arthur Young, the first great agricultural journalist.
10. The word “moral” is here roughly equivalent to “human,” as in the fossil phrase “moral sciences,” only very recently—and regrettably,—abandoned by the University of Cambridge.
11. William Robertson, *Works*, vol. 1 (Edinburgh, 1890), p. 372.
12. *Ibid.*, vol. 2, p. 104.
13. Adam Ferguson, *An Essay on the History of Civil Society*, ed. D. Forbes (Edinburgh: Edinburgh University Press, 1966), pp. 122–23.
14. This is, of course, a very different thing from banning any reference to some hypothetical or fictitious social contract from discussion of the very different question of the legitimacy or otherwise of the actions of present-day governments.
15. Adam Ferguson, *Principles of Moral and Political Science*, vol. 1 (London and Edinburgh, 1792), p. 43.
16. James Burnett, Lord Monboddo, *The Origin and Progress of Language*, vol. 4, 2nd ed. (Edinburgh, 1774), p. 484.
17. For criticism of this whole disastrous tradition of “constructivistic rationalism,” see F. A. Hayek, *Studies in Philosophy, Politics and Economics*, and *New Studies* (London: Routledge, 1967 and 1978).
18. It was, of course, because the phenomenon of oriental despotism clearly threatened his most treasurer hypothesis that Marx was so reluctant to try to come to terms with that phenomenon. The classic source for the whole debate is now Karl Wittfogel, *Oriental Despotism* (New York: Vintage Edition with a fresh Foreword, 1981).
19. Cited in A. C. Danto, “Methodological Individualism and Methodological Socialism,” in John O’Neill, ed., *Modes of Individualism and Collectivism* (London: Heinemann, 1973), pp. 335–36. The Editor’s Introduction to this collection contains—along with some prize paragraphs of as-near-as-makes-little-matter senseless sociologese, appearing to have escaped from Peter Simple’s satirical column in the *Daily Telegraph*—various unfriendly and perhaps appropriately distant references to the historical activities of such holist hypothetical entities as “imperialism” and “monopoly capitalism.” See, for example, pp. 5, 17, and 25.
- Almost needless to say, the term “imperialism” is never applied to the activities of the USSR in Afghanistan or of China of Tibet. Nor is any attempt made to show that any of the individual firms not mentioned do in fact enjoy and exploit a monopoly position. Like so many socialists, and especially Marxist or *Marxisant* socialists, Editor O’Neill appears resolved to characterize corporate capitalism as monopoly capitalism, quite regardless of whether or not it is in truth monopolistic, while being even more firmly resolved not to draw attention to the fact that his own preferred alternative is socialism, that is, total monopoly for the state.
20. Karl Marx and Friedrich Engels, *Basic Writings on Politics and Philosophy*, ed. L. S. Feuer (London: Collins, Fontana, 1969), pp. 270–71.
21. *Ibid.*, pp. 272–73.
22. Karl Marx, *Das Kapital*, vol. 2 (Hamburg: O. Meissner, 1867–1894), p. 406. Marx, however, did not himself see any of this as his real contribution to social science: That lay rather in his supposed demonstration that apparently free exchange relations under capitalism are, really, essentially exploitative; and he thus seems to have become committed to maintaining that under socialism, where social relations will always be what they appear to be, there will be no room for social science! See G. A. Cohen—surely the most philosophically sophisticated of all the Marxist devout—“Karl Marx and the Withering Away of Social Science,” *Philosophy and Public Affairs* 1, no. 2 (Winter 1972).
23. Karl Marx and Friedrich Engels, *Historischkritische Gesamtausgabe*, ed. D. Rjazanov (Frankfurt a. M., Germany: Marx-Engels-Archiv, 1927–), special volume, pp. 160–67.
24. Nonetheless, Popper is, surely, much too generous in his tribute to the sincerity of Marx, both in “a burning desire to help the oppressed” and in “his search for truth and his intellectual honesty” (*The Open Society*, p. 82). For Popper himself goes on to note that “Marx lived long enough to see reforms carried out which, according to his theory, should have been impossible. But it

never occurred to him that these . . . were . . . refutations of his theory (ibid., p. 154).

Well, perhaps he just did not notice, and perhaps no one told him. What, however, was utterly flagrant and quite disgraceful was his suppression of data showing that the central and crucial immiserization thesis is false. See, for instance, Bertram Wolfe, *Marxism: One Hundred Years in the Life of a Doctrine* (London: Chapman and Hall, 1967), p. 323, where it is shown that in the first edition of *Das Kapital*, various runs of statistics are brought down to 1865 or 1866, but those for the movement of wages stop at 1850. In the second edition, all the others are brought right up to date. But those on wage movements still stop at 1850.

25. This prize piece, which is reproduced here exactly as originally printed, comes from Nicos Poulantzas, "The Problem of the Capitalist State," in R. Blackburn, ed., *Ideology in Social Science* (London: Collins, Fontana, 1973), pp. 246–47. Many of the Schopenhauer's remarks about Hegel, so caressingly quoted by Popper in *The Open Society*, could well be deployed against this stuff—and its author.

Landlordism and Liberty: Aristocratic Misrule and the Anti-Corn-Law League

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From the time of its formation in 1839 until the repeal of the corn laws seven years later, the Anti-Corn-Law League agitated virtually without interruption for the total and immediate repeal of those laws which restricted by high import duties the importation of foreign grain into Britain. Headed by prominent northern industrialists including Richard Cobden, J. B. Smith, George Wilson, and John Bright, and centered in the cloth-manufacturing capital of Manchester, the League was the best financed and the most highly organized political pressure group that Britain had ever witnessed. It made its appeals not only to middle-class manufacturers but also to industrial workers, agricultural laborers, and tenant farmers as well. The League sent lecturers and delegations all across the country to proselytize, raise funds, organize, and petition. It published and distributed scores of tracts, pamphlets, handbills, circulars, and books, and regularly issued a succession of its own newspapers: *The Anti-Corn-Law Circular*, *Anti-Bread-Tax Circular*, and *The League*. The ACLL organized debates, public lectures, conferences of ministers of religion, mass meetings, highly successful petition drives, and canvasses of constituencies in numerous parliamentary elections. Though the ACLL concentrated its efforts upon repeal of the corn and provision laws, the League, as individuals and as an organization, took considerable interest in a great many other reform issues of the 1830s and 1840s.¹

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The members of the Anti-Corn-Law League were very much interested in liberty though they did not often discuss the concept in abstract philosophical terms. The members of the League were practical men, better able and more willing to identify and condemn specific political, social, or economic impediments to freedom than to enumerate its philosophical hallmarks. One of the themes found most frequently among the reform ideas of the ACLLers is their abiding distrust and disdain for what they termed aristocratic misrule and class legislation. The members of the League regarded the corn laws as the most glaring example of aristocratic misrule, but in their opposition to this perceived foundation of landlordism, they often found themselves expressing opposition more broadly to what they termed the vestiges of feudalism or the legacy of the so-called Norman Yoke. Their desire to rid Britain of aristocratic misrule and class legislation prompted many Leaguers to oppose not just the corn laws but landlordism, the established church, and all the traditions and privileges that in their view restricted liberty.

The members of the Anti-Corn-Law League tended to view aristocratic privilege and influence in political and social institutions as well as economic relationships as forms of monopoly, and monopoly was something Leaguers opposed in *all* its variations. This fact is central to an understanding of the nature and scope of opposition to aristocratic misrule by the ACLL. Leaguers were part of an emerging liberal consensus that placed a very high value on freedom from the constraints of the state, particularly with respect to economic affairs; they opposed the legacy of medieval restrictions and regulations on manufacturing and trade, and deeply resented the continued influence of a privileged landed aristocracy. This developing and cardinal liberal doctrine is in many ways summed up in opposition to monopoly in all its manifestations, and the ACLL was no small contributor to this tradition. Leaguers sometimes recognized monopoly in facets of life that seemed removed from economics.

The Anti-Corn-Law League regarded free trade as an issue of liberty no less than as a matter of economic practicality. Edward Baines, a prominent spokesman for the ACLL and editor of the *Leeds Mercury*, linked free trade and liberty in *The League* when he declared:

“Free Trade” means *perfect freedom for every kind of industry*; and it includes liberty to every man to employ his money or his labour in the way that he himself thinks most advantageous, and to buy and sell wherever he can do so with the greatest profit.

This freedom is man’s natural *right*. Of course it ought not to be invaded in society, unless such invasion can be shown to be necessary for the general good of the community. . . . It is obvious that this *must* be the *general* rule and practice in every community. . . . And upon this rule all Governments *do* and *must* act in 999 out of 1000 cases. This rule of *Freedom of Industry*—which contains in it, when practically applied, an admirable self-regulating and self-adjusting principle—determines how many men shall engage in each particular employment, so as to keep the wants of the community duly supplied.²

In his argument Baines advanced two important and related ideas: that freedom was a matter of *natural right* and that it was economically sound. He accused landed protectionists of inflicting a great and oppressive evil upon the country by violating the principle of freedom of industry with the continuation of the corn laws.³ In his declarations Baines echoed the assertions of Adam Smith who had concluded that protectionism was harmful economically, internationally, and socially. Smith had argued that Britain's protectionist policies were posited upon two fallacies: (1) the balance-of-trade fallacy or the notion that it was always better to make goods at home, and (2) the political assumption that a government-led economy would progress more rapidly than a natural one.⁴ Smith believed that mercantilism not only slowed economic progress but also produced domestic social inequalities. In his view, the solution to an intolerable system of privilege was a self-regulating system of natural liberty.⁵

Richard Cobden, J. B. Smith, and Joseph Brotherton were other League leaders who shared the views of Baines on the relation between natural right and natural law. As early as 1837 J. B. Smith expressed on behalf of Brotherton, who was then a candidate in the Salford parliamentary election opposition to the entire "system of the *Corn Laws*," as well as "*all other monopolies* which interfere with & obstruct the general prosperity of the country."⁶ Cobden emphasized the inexorable power of freedom of trade as a matter of natural law in his early pamphlet, *England, Ireland, and America*, arguing that "violence and force never prevail against the natural wants and wishes of mankind; in other words that despotic laws against freedom of trade can never be executed."⁷ Cobden not only equated restrictions on commerce with tyranny but also believed that free trade marked the rebirth of man's right to exchange freely the products of his labor, intelligence, and capital rather than serving the interests of the privileged classes.⁸

The agitation against the corn laws embodied by the Anti-Corn-Law League gave a focus to the sentiment opposing all forms of monopoly; many Leaguers believed that the corn laws were the foundation of an entire system of economic, social, and political privilege and that the whole edifice of aristocratic misgovernment and landlordism would be undermined if the corn laws were removed.⁹ The *Bread Eater's Advocate*, the organ of the short-lived National Daily Bread Society, which the League attempted to launch in 1841, made explicit the view that the corn law was "*the keystone by which other monopolies are upheld*, monopoly in trade, monopoly in legislation, monopoly in religion,"¹⁰ and hailed the repeal of the corn laws as "the first of a series of deep and searching reforms."¹¹

That the Anti-Corn-Law League opposed monopoly in all its variations does not diminish the fact that monopolies of trade were the form of monopoly most directly related to its interests, and clearly the corn laws were the most irksome and significant of these. Of this more will be said in a moment. Particularly in a period of acute economic distress, the ACLL tended to judge issues of monopoly and reform by the standard of how directly they affected the condition of trade,

but it was difficult to view the corn laws as an issue entirely separable from politics. After all, the corn laws had been enacted by the legislature; thus the monopoly of the corn laws seemed to be an obvious example of a political monopoly of power held by the aristocratic landowners.

The danger of political monopoly was a theme often found in League newspapers. The League took the view that piecemeal reforms could have little effect so long as the real problem was with the system of monopoly.¹² In 1840 the *Anti-Corn-Law Circular* declared, "The disease is in the SYSTEM, and there it must be attacked. It arises from HEAVY TAXATION AND especially from the LANDLORD'S TAX UPON BREAD."¹³ Later that year the same League organ criticized "*the present imperfect state of the House of Commons,*" and accused the landed interests in Parliament of plundering the nation of millions of pounds annually and of causing widespread suffering by their unprincipled and extravagant conduct of the government.¹⁴ The *Anti-Bread-Tax Circular* went further in its criticism of parliament, characterizing it as "a landowners club or trades' union assembly, passing laws to enrich themselves by the impoverishment of the millions they pretend to represent."¹⁵

In 1843 the League newspaper asserted that the monopoly of the corn laws was the instrument by which a despotic aristocratic government maintained its arbitrary power, and the following spring *The League* published a letter from William Griffiths, a Wesleyan minister, which stated that the landocracy "as much represents the inhabitants of the moon as the *people*. . . ."¹⁶ Griffiths' letter linked the struggle for civil and political liberty:

The Corn law is one fruit of class legislation; and class legislation is at variance with the principles of the British constitution, and deeply prejudicial to the rights of the people. . . . The League is teaching the people of this country in what way most effectively, and yet most peaceably, to work out their civil and political emancipation. It aims to enlighten the public mind, and, by means of guiding public opinion, of effecting important political changes.¹⁷

The Leaguers believed that the industrial revolution had brought about fundamental changes in society and economy and that a political system based upon an aristocratic monopoly of power was no longer appropriate. To free-traders the corn laws were not only the most glaring example of the abuses of such a political structure, they were its very foundation. Repeal of the corn laws, in their view, would strike *directly* at aristocratic misrule and landlordism, for once the monopoly of power of the landed interests was broken by putting an end to protection, the existing system could not long remain unaltered.¹⁸

The Anti-Corn-Law League was concerned with forms of monopoly apart from politics as well. Leaguers tended to view the established church as a monopoly of religion and the military as a monopolists' institution, and about these issues more will be said in a moment. Free-traders were also highly critical of the extent to which the corn laws tended to provide a monopoly of capital to the landed

interests, literally at the expense of industry, labor, and commerce. A pamphlet by one Leaguer charged landowners with sacrificing the commercial and monetary interests of the nation at “the unholy shrine of Baronial avarice.”¹⁹ Similar feelings were expressed at League meetings, in lectures, and in the *Anti-Bread-Tax Circular*.²⁰ Leaguers believed that the effect of the corn laws was to divert some capital to agriculture and to misdirect capital toward foreign investments, to the detriment of Britain.²¹ Leaguers were jealous of the capital that went abroad and dismayed at the extent to which landlords tended not to use the capital which was diverted to agriculture for improvements.

One should not forget that the main focus of the Anti-Corn-Law League was upon the repeal of the corn laws and that they were especially interested in the effect repeal could have upon the state of the economy as a whole.²² The League regarded the monopoly of the corn laws as having been imposed by a parliament dominated by landlords who passed the laws in order to raise their own rent receipts and to hinder competition. Competition was defined by the League as “the great balance of power between commercial classes and individuals, whether agriculturalists, manufacturers or merchants. . . .”²³ Leaguers viewed monopoly—especially one upon a necessity of life—as being both evil and absurd.²⁴ An article by Edward Baines in the *Anti-Bread-Tax Circular* condemned the short-sightedness of monopolist policies and argued that by refusing to take the corn of foreign nations, such nations were prevented from obtaining the capital with which to purchase British manufactured goods. Over time, according to Baines, other nations would be driven to manufacture things for themselves and would develop to such an extent that they would begin to threaten British manufactures on the world market. Baines cited the examples of Saxon production of hosiery, Prussian manufacture of cutlery, and Swiss printing of calico.²⁵

Perhaps the most sophisticated analysis of the effects of the monopoly of the corn laws by a member of the League was James Wilson’s *Influences of the Corn Laws*, first published in 1839. In this book Wilson advanced three closely related propositions: (1) that the corn laws produced consequences harmful to *all* classes of the community; (2) that the agricultural interest itself derived great injury from the existing corn laws and that the value of their property would be enhanced by adoption of “a free and liberal policy with respect to trade in corn”; and (3) that manufacturing interests and the working classes would also derive incalculable benefit from free trade and that the average rates of both wages and profits would be increased by the general increase in prosperity that would result from repeal.²⁶

It was Wilson’s conviction that the prosperity of the whole community was derived from the prosperity of its several parts and that no single interest could be helped by monopoly to the injury of others and still be of benefit to the whole.²⁷ In his argument for an identity of economic interests, Wilson outlined the main features of aristocratic misrule with respect to the corn laws and attacked the assumptions upon which protection had been based. At the heart of Wilson’s argu-

ment was the insight that the corn laws, instead of stabilizing prices, had in fact contributed to their fluctuation inasmuch as agriculture, in contrast to industrial production, required a relatively greater lead-time for shifts of production to become felt in the marketplace. Wilson argued that the repeal of the corn laws would raise agricultural prices in relation to the costs of production as well as avoid wild fluctuations in price by stimulating capital improvements in agriculture and encouraging greater economy of labor by introducing machinery. The advantage of this competitive free-trade economy over the existing corn monopoly would be, according to Wilson, the stimulation of productivity increases, and increased productivity of grain was Wilson's solution to the threat of foreign competition. He stated that supply would increase

by the application of more ingenuity, labour and economy, causing altogether so much lessened cost, that the lower price at which an article can profitably be sold will always cause consumption to keep pace with production; and in this case, as the article still yields a profit at the low price, no reaction will ensue.²⁸

A moment ago it was suggested that members of the Anti-Corn-Law League found that their opposition to what they regarded as the foundation of landlordism led them to criticism of landlordism itself. The term landlordism was often employed by the League, but it was seldom more than vaguely defined. It referred broadly to the political power, social influence, and economic control on the part of those who lived on receipts from their rent rolls, but it also referred, more narrowly, to the laws, traditions, and privileges that determined the relations between landowners and tenants. Members of the ACLL were opposed to the legacy of medieval regulation of trade and industry, and they regarded landlordism as a pernicious vestige of feudalism that the progress of a new industrial age should have swept away. Landlordism was the source of aristocratic power and misrule, and Leaguers believed that if the foundation of landlordism, the corn laws, could be undermined, the hold of landed aristocrats upon the reins of economic, social, and political control would be broken or at least seriously weakened.²⁹

The League depicted the struggle against the corn laws as a struggle against the landowners and suggested that class legislation was responsible for the condition of the country. That this view was espoused by the propaganda machine of the League does not diminish the fact that it was sincerely held. The problem, according to the League newspaper, was a political and social system in which power resided in a parliament of landlords:

The Imperial Parliament is a landlord Parliament. Its laws are the decrees of landlords. The internal and subordinate government of the country, the county management, the quarter sessions, the labours of the magisterial office,—all or nearly all, is in the hands of the landlords.³⁰

The *Anti-Bread-Tax Circular* reported on a lecture by J. C. Fitzgerald in Liverpool, in which he asserted that destruction of the barriers to trade would open a breach in the citadel of aristocratic power and corruption through which the middle and working classes would then pour.³¹ And in a letter to Cobden, W. Cooke Taylor, a prominent League writer, described the repeal agitation as the latest campaign in the old war against the Norman Yoke.³²

That the Anti-Corn-Law League took considerable interest in landlordism as a system of economic control, political power, and social influence seems clear enough, but they also demonstrated concern with those elements of landlordism which pertained to the relationship between landlord and tenant. The League gave a fair amount of attention to the plight of farmers and agricultural laborers, and it placed a good deal of emphasis on conditions of distress in agricultural districts as well as in urban areas.³³ The League blamed the corn laws, and thus the landowners, for the degradation of agriculture and demanded better living and working conditions for farm laborers, facilitation of improvements, fair rents, changes in landholding tenure, and abolition of the game laws. At the height of the ACLL appeal to agriculture in late 1843, *The League* declared,

Until the landowners of this country have abandoned their monopoly, surrendered their obsolete feudalities, and granted long and rational leases, we trust that whenever the hypocritical exhortations of the lords of the soil to tenants to "perform their duty to the labourers" are heard some tenant-farmers will start up and say, "YOU, THE LANDOWNERS, ARE ALONE TO BLAME FOR THE PRESENT CONDITION OF THE AGRICULTURAL LABOURERS, BECAUSE YOU HAVE SACRIFICED THE WELFARE OF THE COMMUNITY AND THE INDEPENDENCE OF THE TENANT-FARMER TO YOUR GREED FOR RENT, YOUR DELIGHT IN SELFISH PLEASURES, AND YOUR LUST FOR POLITICAL POWER."³⁴

The appeal of the ACLL to farmers contained two main arguments: the first was that the corn laws protected the interests of landlords by raising rents more than they protected the interests of farmers by raising prices; and the second was that the general economic prosperity they believed would result from repeal would be of greater benefit to farmers than that which they might derive from the protection of high duties on corn.³⁵ The problem that faced British agriculture, with or without protection, was profitability. Leaguers believed that agriculture could remain profitable only so long as its productivity showed signs of increase, and improvements were, in their view, essential to this process.³⁶

At the annual meeting of the Anti-Corn-Law League in January of 1843, an entire session was devoted to discussion of the effects of the corn laws upon the agricultural classes. One important theme of this discussion was the need for agricultural improvements. R. H. Greg, a well-known member of the ACLL, expressed the view that agricultural productivity could be as much as quadrupled

if capital were reinvested in agriculture rather than siphoned off in higher and higher rents.³⁷ Resolutions were passed without opposition which asserted that profitability could be restored to agriculture by better management and that repeal of the corn laws was the fastest method by which to relieve agriculture by permitting the tenant farmer to "be better able to enter into new arrangements with his landlord, experience less wasting of his capital, and be stimulated to increased production."³⁸

The Anti-Corn-Law League urged "high farming" as a solution to the difficulties of agriculture because it regarded productivity increases as essential to sustained prosperity. The League asserted that improved farming required longer leases and fairer rents to permit efficient capitalization and investment for competitive production.³⁹ In 1845 the League announced plans to purchase a model farm in Buckinghamshire to demonstrate that insecurity of tenure and high rents were the reasons that farmers lacked sufficient capital to make essential improvements for profitable agricultural production.⁴⁰

One member of the Anti-Corn-Law League, Charles Sherriff of Gloucestershire, argued at the 1843 annual meeting of the League that during the Napoleonic Wars farmers had made money not because prices were high but because they were relatively higher than the rates for which rents had been calculated. Sherriff stated that as soon as existing engagements between landlords and tenants had expired, rents were increased and farmers made no more money than they had before prices had begun to rise at all. Since the reimposition of the corn laws in 1815, asserted Sherriff, farmers had benefited only from *rising* prices and not from *risen* ones. Sherriff expressed the conviction, amidst the approving shouts of his listeners, that every lowering of the corn duty on the sliding scale without a corresponding abatement of rents further damaged the position of farmers.⁴¹

In addition to concern for the problems of high rents, the Anti-Corn-Law League expressed considerable sympathy with the desire of farmers for greater security of tenure, seeing such a development as crucial to improvements. Late in 1843 the League advocated "long and rational leases" and attempted to give this demand definition in their newspaper. *The League* suggested leases of twenty-one years' duration with provisions for punctual payment of rent; rights of tenants to consume the hay, straw, and roots produced on their holdings; and provisions to leave fallow an appropriate amount of land to prevent exhaustion of the soil. The League also called for provision of decent cottages and for such improvements as drainage and removal of fences and hedgerows.⁴²

The aspect of the relationship between tenants and their landlords that received the greatest attention from the Anti-Corn-Law League was the aristocratic privilege of the game laws. The game laws were those statutory provisions which reserved the hunting of wild game to the owners of the land and imposed what were often stiff criminal penalties for poaching. These laws were an enormous irritation to farmers who annually lost a portion of their crops to hares and birds, which they

were prohibited from controlling, and the game laws were an impediment to those who might like to supplement their meager diets—particularly in times of such severe economic distress—with fresh meat from the hunt.

League newspapers carried articles that complained about the game laws, and such reports became a regular feature of *The League* from the spring of 1844 until repeal of the corn laws. These articles pointed out the damage to agricultural production caused by wild game, attempted to show connection between rural crime and the game laws, and lamented the penalties imposed upon those convicted of poaching.⁴³ In reports written by the Anti-Corn-Law League and those reprinted from other newspapers, the game laws were characterized as a legacy of the Norman Yoke and as a prime example of aristocratic privilege and landlordism. The game laws, complained one article in the League organ, had made wild animals the private property of the landowners, giving them additional income from the sale of game, saying that the landlords had personal pecuniary interest in protecting game because,

. . . the more game there is, the more profit for them; and this is the more admirable because the increase of game is attended with no increase of expense, and all the game is . . . kept by the farmers. The hares and rabbits, the pheasants and the partridges feed on the farmer's corn; but he dares not touch one of them; though fed by him, the game, whether bird or beast, is claimed by the landlord as *his* property. The English landlord, in verity is a man who gathers what another has sown; to take what another had fed, claims it as his property, sends it to market, and places the money got from the sale in his own pocket. This is the landlord's notion of equity, justice, and fair dealing.⁴⁴

The ACLL attributed much rural crime to the game laws, charging landlords with taking land out of production for preservation of game and with imposing by class legislation the economic conditions that led to poaching. The League regarded arrests for poaching as a measure of economic distress, reporting that between 1842 and 1843 poaching offenses had increased by well over 100 percent.⁴⁵

Anti-Corn-Law Leaguers opposed landlordism as a vestige of feudal privilege and as an impediment to progress, but their antipathy to aristocratic misrule and the social and political domination of landlords went quite beyond agricultural considerations and economic relationships. In a variety of ways the Leaguers viewed the established church as a noxious example of aristocratic misrule. Leaguers were dismayed at the lack of support the Church of England displayed for what Leaguers perceived as a fundamental issue of morality, and they accused the established church of having a pecuniary interest in a continuation of the corn monopoly. A great many Leaguers bitterly opposed tithes and church rates and expressed strong sentiments in opposition to establishment itself.

One of the few Anglican clergymen who took an active part in the agitations of the League was the Reverend Thomas Spencer of Hinton near Bath. Spencer and other Leaguers emphasized almost from the beginning that repeal was a

religious question and that alleviation of the sorrows of the poor and the feeding of the hungry were moral duties to be fulfilled by opposing the corn laws. In 1839 Spencer appealed to Dissenters, urging them not to gratify Anglicans with indifference to the issue and not to be intimidated by charges which might come from churchmen that opposition to the corn laws was somehow subversive in nature. He wrote,

... nothing gratifies the high churchman more than to see a timid line of conduct on the part of dissenters, in any question in which their principles are involved. He rejoices to see a man silent, and shrinking from the post of danger, lest he should be called a political dissenter, the ally of Papists and Socinians, the companion of radicals and infidels.⁴⁶

Four years later Spencer argued in another pamphlet that religious men had an obligation to be politically active and called on men of conscience to "use all peaceful means to accomplish wise and salutary reforms in church and state."⁴⁷

The Anti-Corn-Law League was disappointed with the degree of support they received from the clergy of the established church. Only a handful of Anglicans were among the more than 800 clergymen who attended the Conference of Ministers of Religion in August of 1841.⁴⁸ Support from and participation by the Anglican clergy was so slight that the League felt it necessary to counter charges that the conference was a sectarian meeting of Dissenters from which Anglicans had been excluded and which amounted to "a conspiracy for overthrow of Mother Church."⁴⁹

The League accused the clergy of the Church of England of opposing repeal because they were themselves beneficiaries of the corn monopoly. The *Anti-Corn-Law Almanack* published a list of "mitred bread taxers" in 1840, and the League urged the widest possible distribution of the almanacks, including placement in all public locations.⁵⁰ In 1842 the League accused its clerical opponents in the Church of England of opposing repeal because they had "a direct pecuniary interest in raising the price of bread . . . and in starving the poor."⁵¹ The prominent spokesman of the League, Col. T. P. Thompson, explained in the *Anti-Bread-Tax Circular* that tithes had been converted,

not into a permanent payment in money, but into a permanent payment of so many quarters of corn, or the value thereof. And what is the effect of this? Manifestly to attach the interests of the clergy for ever, and for ever to the conservation of the corn laws. A clergyman is to receive annually the value of, say 100 quarters of corn. If corn is at 80s. a quarter, he is to have £400 a-year; and if at 20s., he is to have £100.⁵²

The League asserted that the selfish interests of the landlords were the same as those of the clergy of the established church in a variety of ways. An early issue of the *Anti-Corn-Law Circular* explicitly included the established church in its indictment of aristocratic misrule and urged denunciation of the corn laws

as exactions of the Church of England.⁵³ League leader J. B. Smith assured Sidney Smith just prior to the latter's departure on a lecture tour in 1839 that the state church was "fair game," though he advised that it would be best to avoid sectarian views and remarks that might give offense on religious grounds.⁵⁴ In a report denouncing tithes and Sir Robert Peel's defense of the corn laws as just compensation for the tax burdens borne by the landed interest, the *Anti-Bread-Tax Circular* relied on a characterization from the *Nonconformist*. The latter asserted that the state church was peculiarly an institution of the landed aristocracy, describing it as "a convenient and pleasant pasture ground upon which younger sons and dependent relatives may feed in quiet—a luxuriant prairie offering abundance to those who would else be supernumeraries on the estate."⁵⁵ An anonymous pamphlet, *The Church and The League*, published by the Anti-Corn-Law League printer, John Gadsby, charged the aristocracy and its church establishment with opposing cheap bread and declared,

That the Bishops and the hosts of Clergymen who are sighing for Episcopal dignities should hate and oppose the Anti-Corn-Law League will not be a matter of surprise to those who have studied the history of Priestcraft. The League is the foe of aristocratic injustice, and the State-Church is the creature and tool of the Aristocracy.⁵⁶

Perhaps the boldest assertion of a coincidence of interests between the established church and the landlords to be published by the League appeared in the form of a letter to the editor of the *Anti-Bread-Tax Circular* in 1841. The letter included an extract from the *Dorset Chronicle* in which, "with blushing effrontery it is acknowledged that the existence of the Church of England is staked on the corn laws."⁵⁷ The extract from the *Dorset Chronicle* charged Dissenting ministers with opposing the corn laws, in part, because they knew,

that with the corn laws, and the farmers, and the landlords, *the Church itself will fall*: that bound as they are by the Tithe Commutation Act; the clergy of the Church of England are dependent upon the price of corn. . . .⁵⁸

Tithes, even in commuted form, and church rates were sources of considerable resentment to many Leaguers, especially to Dissenters. Leaguers regarded tithes as a form of church taxation that, by its nature, infringed upon political and religious liberty; many Leaguers expressed the view that tithes were a land tax not fairly borne by the landowners themselves.⁵⁹ As an organization the Anti-Corn-Law League did not express strong opposition to church rates, but many prominent members of the League were openly critical of such taxes.⁶⁰ John Bright was the most outspoken League critic of church rates, particularly following the highly controversial referendum over church rates in Rochdale during the summer of 1840.⁶¹

Opposition to tithes and church rates was an expression of something more than an unwillingness to contribute to the operation or upkeep of the Anglican

Church; it was a manifestation of a general antipathy to established religion. Several leading spokesmen of the Anti-Corn-Law League opposed establishment on principle; Bright, W. J. Fox, and other Leaguers opposed the Maynooth Grant in 1845 on grounds that it was tantamount to establishment of a second religion in Ireland.⁶² W. J. Fox asserted that the tendency of any church establishment, regardless of form or creed, to impinge upon liberty was

of a most pernicious description, and altogether incompatible with the equality that ought ever to prevail among different classes constituting a community: and . . . the existence of a priestly order, is unfavourable to human knowledge, freedom, or happiness, and had always been so; in any nation, at all times, and under all circumstances.⁶³

Fox believed that a church establishment infringed on political equality and that the privileges of an established religion implied restrictions and exclusion on all those who did not subscribe to it.⁶⁴

Perhaps the most outspoken opponent of an established church among the Anti-Corn-Law Leaguers was Edward Miall, the editor of *The Nonconformist* and founder of the Anti-State-Church Association. In his book, *The Nonconformist's Sketch-book*, Miall called for a complete separation of church and state, which would forbid any public funds from supporting a church, abolish all privileges connected with the profession of an authorized creed, and repeal all laws that empowered civil magistrates to exercise authority in religious matters. Miall described the Church of England as "an engine admirably suited to work out the purposes of the aristocracy"—which he identified as the throne, monopoly, education, and war.⁶⁵

Members of the Anti-Corn-Law League were not the only ones to associate opposition to the corn laws with opposition to the established church. As early as 1839, the League newspaper reported that the *Conservative Journal* had charged the ACLL with promoting the cause of popery by advocating repeal of the corn laws. Opponents of the League suggested that repeal of the corn laws would "uproot the Protestant aristocracy, and utterly ruin the farmers of England of whom it may be truly said, they constitute the most thoroughly Protestant portion of the community."⁶⁶ The *Anti-Corn-Law Circular* quoted the *Conservative Journal* as saying,

The uses to which the Papists would turn the triumphs of "philosophical" Radicalism would not, moreover, terminate with the overthrow of the Protestant Church, and the Protestant aristocracy. No; the establishment of Popery might be expected to follow almost as a matter of course.⁶⁷

The opposition of the members of the Anti-Corn-Law League to the privileges of landlordism and the implications of aristocratic misrule led them naturally to criticism of other institutions (in addition to the established church) that many Leaguers associated with the privileges of the landlord class. Such institutions included the universities, the army and navy, and the diplomatic service.

The papers and publications of the Anti-Corn-Law League do not reveal an overwhelming interest in the universities, but such references as there are leave little doubt that the universities were regarded as bastions of protectionism and privilege. Relations between Leaguers and academics got off to an inauspicious start when two League lecturers, Sidney Smith and J. H. Shearman, sent to Cambridge in May of 1839, were attacked by "a gang of unfledged ruffians in gowns and caps."⁶⁸ The Leaguers at Cambridge joined in the fracas with considerable enthusiasm, and Shearman brought back torn pieces of caps and gowns to the League headquarters in Manchester as proof to the Council that the ACLL had gotten the best of the fight.⁶⁹ Four years later, in 1843, *The League* published a review of V. A. Huber's *The English Universities*, which while admitting that the intent of the volume was to recommend the character of British universities to Prussia, was nonetheless highly critical of British universities for their antipathy to free trade, their aristocratic privilege and religious exclusion, and the impracticality of their emphasis on classical education.⁷⁰

Opponents of the corn laws, particularly Richard Cobden, tended to associate protectionism and aristocratic privilege with the military establishments, including the army, navy, and militia.⁷¹ League leaders regarded the interests of the aristocracy in the military establishment as contrary to the interests of the nation. The army and navy, in the view of some Leaguers, were too much a source of place for the younger sons of the nobility, a drain on capital that retarded progress, and a distraction from necessary domestic reform.⁷² Cobden argued, even before the formation of the Anti-Corn-Law League, that an important "source of government patronage & of patrician power" would be reduced if the willingness of aristocratic government to employ military intervention abroad could somehow be checked.⁷³ In *England, Ireland, and America* and in his later pamphlet, *Russia*, Cobden argued that aristocratic diplomats were too willing to defend English honor to the exclusion of her real commercial and manufacturing interests, and such opinions were later reflected in League newspapers.⁷⁴ W. J. Fox summed up the view of many opponents of the privileges of the aristocracy and their association with the military when he wrote,

War is the aristocratical trade; war is the aristocratical passion; war is the aristocratical convenience for bringing forward the junior members of titled families, instead of providing for them out of the family property.⁷⁵

The Anti-Corn-Law Leaguers can be said to have regarded free trade as an issue of fundamental liberty, but they rarely discussed liberty in abstract, theoretical, or philosophical terms. The members of the League were practical men who opposed the privileges of landlordism as aristocratic misrule, and they regarded the corn laws as the clearest example of class legislation and the foundation of a system of aristocratic privilege entirely inappropriate to the spirit of the age. Clearly, opponents of the corn laws believed that freedom of trade was fundamental, both as a natural right and as an economic practicality.⁷⁶

The League regarded free trade as being ordained by both natural and divine law, which superseded the artificial restrictions of selfish aristocratic lawmakers. At one League meeting the corn laws were described as outmoded and contrary to the one principle of nature that would ensure harmony: "Freedom—universal freedom."⁷⁷ Reflecting the widest possible application of the principles of *laissez faire* in an unmistakably male fashion, the League speaker, Mr. Bayley, implied that use of such artificial restrictions as the corn laws impeded the operation of natural law in such a way as to obstruct the divine will, and he suggested that the corn laws were ridiculous as the belief once held by "our ladies" that "their bodies would not grow out to their proportions, unless squeezed in here and enlarged there, (Laughter) just as the Chinese have adopted."⁷⁸

The League regarded the corn laws as an instrument of despotic power, and Thomas Milner Gibson argued before an aggregate meeting of the League in 1843 that Leaguers had taken up their struggle not under the pressure of momentary distress of the country,

but on the solemn conviction that the Corn Law is that invasion of our civil rights as free citizens, that whether there be poverty or plenty, we have an equal right to demand their repeal. (Loud Cheers.)⁷⁹

Gibson told his listeners that the cause of the ACLL was more than the revival of trade; it was the cause of the citizens of England and of liberty itself.⁸⁰

Perhaps the clearest statement by a member of the League on the fundamental nature of freedom of industry and trade came from John Bright in a speech before the Liverpool Anti-Monopoly Association during the summer of 1843. Bright asserted that the freedom to exchange the produce of one's labor for that of his fellows anywhere in the world was the most fundamental of rights. Bright argued that

there was no liberty without this liberty, which was simply the liberty to live. The right of voting for members of parliament, the right of electing members of the legislature, the right of electing even the crown, if that were so,—all this liberty was a very small value without the liberty to live by their industry. (Cheers.) Civil liberty was nothing, religious liberty was nothing; the liberty of the press was nothing, for so long as an increasing population was allowed to labour under restrictions on the means of living, all this liberty would be insufficient to give them prosperity, to enable them to advance in the career of improvement, to enable them to become what they were destined to be. . . .⁸¹

The Anti-Corn-law Leaguers associated their cause with the cause of liberty. To many opponents of the corn laws, political, religious, and civil liberties were to some extent dependent upon freedom of exchange, or at the very least, they were liberties that could not be fully enjoyed without freedom of industry and exchange.⁸² Leaguers opposed monopoly in all its variations, and monopoly was

the antithesis of freedom of exchange. The Leaguers' opposition to the corn law monopoly led them to oppose landlordism wherever it was to be found: in the military, the universities, the established church, the traditional relations between landlord and tenant, and the political life of the nation. In the eyes of the members of the Anti-Corn-Law League the battle for the repeal of the corn laws was a fight against aristocratic misrule and class legislation; it was a crusade against the vestiges of feudal privilege which restricted progress, economic well-being, and freedom.

Notes

Works frequently cited have been identified by the following abbreviations:

ABTC *Anti-Bread-Tax Circular.*

ACLC *Anti-Corn-Law Circular.*

AD-MCRL Archives Department, Manchester Central Reference Library.

SSL-MCRL Social Science Library, Manchester Central Reference Library.

WS-PRO West Sussex County Public Record Office.

1. The organizational structure, parliamentary tactics, and methods of propaganda of the Anti-Corn-Law League were the subject of Norman McCord's *The Anti-Corn-Law league, 1838-1846* (London: Allen and Unwin, 1958), and for these features of the ACLL, McCord's study remains the standard work. Archibald Prentice's *History of the Anti-Corn-Law League*, 2 vols. (London: Cash, 1853), an insider's account written just after the dissolution of the ACLL, is devoted to explaining in considerable detail how the League triumphed in getting the corn laws repealed in 1846. Much of Prentice's account is given over to a narrative of election and agitation tactics, and there is very little discussion of issues apart from free trade. Several other studies, including Augustus Mongredien's *History of the Free Trade Movement in England* (London: Cassell, 1881) and G. Armitage-Smith's *Free Trade Movement and Its Results* (London: Victorian Era Series, 1898), focus on parliamentary activity and methods of agitation rather than on the reform ideas of the ACLL. Surveys of the corn laws in English history, such as those by Donald Barnes in *History of the English Corn Laws from 1660 to 1846* (New York: Routledge, 1930) and Charles Ryle Fay's *Corn Laws and Social England* (Cambridge: Cambridge University Press, 1932), are so broad in scope as to devote only a single brief chapter to the issue of repeal; they do not consider corollary issues. Studies of the ACLL have given too much attention to the structure of the organization and the nature of its agitation activities at the expense of examining more closely the meaning of the doctrine of free trade in its implications and corollaries.

Biographies of prominent members of the Anti-Corn-Law League including Cobden and Bright—John Morley, *Life of Richard Cobden* (London: Chapman and Hall, 1881); G. M. Trevelyan, *Life of John Bright* (London: Constable, 1913); Herman Ausubel, *John Bright: Victorian Reformer* (New York: Wiley, 1966); Keith Robbins, *John Bright* (London: Routledge and Kegan Paul, 1979); and Donald Read, *Cobden and Bright: A Victorian Political Partnership* (New York: St. Martin's, 1968)—properly treat the participation of their subjects in the activities of the ACLL as only one aspect of the public lives of these men, and several do not have the period of the ACLL as their central focus. Biographies of league leaders have from time to time taken up the theme of aristocratic misrule and class legislation, but such discussions have been generally intended to provide insights into personal character or as part of a general context rather than as an outgrowth of free-trade ideology or as an explanation of the views on liberty held by members

- of the Anti-Corn-Law League. The present discussion is intended to outline the main elements of aristocratic misrule and landlordism as seen by members of the League and to illustrate how opposition to the foundation of landlordism—monopoly—led quite naturally to criticism of a “system” of landlordism itself.
2. “To the Right Honourable The Earl of Harewood, President of the Yorkshire Society,” *The League*, 16 March 1844.
 3. *Ibid.*
 4. Frank Fish Walker, Jr., “British Liberalism: Some Philosophical Origins: The Contributions of Adam Smith, Thomas Robert Malthus, Jeremy Bentham, and Herbert Spencer” (Ph.D. diss., Stanford University, 1957), pp. 35–38. Walker provides an analysis of Smith’s *Lectures of Justice, Police, Revenue and Arms*.
 5. *Ibid.*, pp. 37–38.
 6. “To the Inhabitants of the Borough of Salford,” Election Address of Joseph Brotherton, 28 June 1837, J. B. Smith Papers, AD-MCRL. The manuscript is in Smith’s hand, and his daughter, Lady Durning-Lawrence, states that her father wrote the address on behalf of Brotherton.
 7. Richard Cobden, *England, Ireland, and America* (London: Simpkin, 1835), p. 3. Cobden provides an analysis of the effectiveness of Napoleon’s Continental System. See also John MacCunn, *Six Radical Thinkers* (New York: Russell, 1907), pp. 88–95. The League expressed a quite similar view in “Exportation of Machinery. Effects of the Corn Laws,” *ACLC*, 2 July 1840.
 8. “Liberté et protection, lettres de M. Richard Cobden,” offprint from *Journal des économistes*, pp. 235–39, Cobden Papers, WS-PRO.
 9. On the general theme of the corn laws as the focus of a variety of reform interests, see William Cunningham, *Rise and Decline of the Free Trade Movement* (Cambridge: Cambridge University Press, 1905), pp. 67–74; Alexander Llewellyn, *The Decade of Reform: The 1830s* (New York: St. Martin’s 1971), pp. 142–43; and McCord, *Anti-Corn-Law League*, pp. 15–21.
 10. “Address to the Council of the National Anti-Corn-Law League,” *Bread Eater’s Advocate*, 1 September 1841; see also Fay, *Corn Laws and Social England*, pp. 402–3.
 11. *Ibid.* See R. B. McCallum, *The Liberal Party from Earl Grey to Asquith* (London: Gollancz, 1963), pp. 46–47; G. S. R. Kitson Clark, “The Repeal of the Corn Laws and the Politics of the Forties,” *Economic History Review*, 2nd Series, 4(1951–1952): 12–13; Fay, *Corn Laws and Social England*, pp. 396–402; and the contemporary pamphlet, Joseph Barker, *Blessings of Free Trade . . . and How They May Be Increased and Made Lasting* (N.P.: n.p., 1846), pp. 10–11. Opponents of repeal feared the truth of such assertions; see, for example George Calvert Holland, *Suggestions Towards Improving the Present System of Corn Laws* (London: Ollivier, 1841), p. 3. Referring to the corn law, Holland wrote, “It is the key-stone of the arch on which rest the present orders of the state, and to disturb its position would ultimately introduce insecurity and anarchy.” See also Robert M. Stewart, *The Politics of Protection: Lord Derby and the Protectionist Party, 1841–52* (Cambridge: Cambridge University Press, 1971), *passim*. Opponents of the Anti-Corn-Law League charged that the organization regarded repeal as the first step toward the redistribution of property and republicanism. The League denied such charges, which had appeared in the *Berkshire Herald*, in “Groundless Alarms, Who’s Afear’d?” *ABTC*, 5 May 1841.
 12. “When Will Trade Improve?” *ACLC*, 16 July 1840. Members of the League were quite concerned with what they regarded as the increasing threat of foreign competition in manufacturing from both Europe and America, which they believed presented Britain with imminent danger of permanent loss of markets and domestic economic decline. They were very much aware of the dependence of British manufactures on foreign trade and regarded increased foreign trade as essential to economic revival and progress. See, for example, “untitled,” *ACLC*, 28 May 1839; “Machinery for Belgium,” 17 September 1839; “Dr. Bowring’s Mission,” 15 October 1839; “American Manufacture,” 10 December 1839; “Rather Ominous,” 10 December 1839; “German Commercial League and Dr. Bowring,” 23 June 1840; “Progress of Trade Between England, the Great Manufacturing Country, and Russia, Germany, and Prussia, the Great Corn Growing Countries,” 21 May 1840; and “Expulsion of Another Manufacturing Process,” 31 December 1840. See also “Operatives—Our Dependence on Foreign Trade,” *ACLC*, 28 May 1839; and Sidney Smith’s lectures in the *ACLC*, 11 June and 9 July 1839. See “To the Right Honourable The Earl of Harewood, President of the Yorkshire Society,” *The League*, 16 March 1844; and definitions of “competition” and “corn laws” in “Correspondence,” *ABTC*, 14 February 1840.

13. "Address to the Working Classes," *ACLC*, 26 March 1840.
14. "Corn Laws and the Agricultural Population," *ACLC*, 10 September 1840 (reprinted from Prentice's *Manchester Times*); "The Burden of the Food Taxes Estimated in Money," 19 November 1840; "The House of Commons Itself Charging the Aristocracy with Plundering the Nation of Fifty Millions a Year," 19 November 1840. Charles Pelham Villiers made similar charges in his motion to resolve the House of Commons into a committee to consider the corn laws in 1838, *Annual Register*, 1838, vol. 80 (London: Knight, 1839), pp. 171-72. For an indication of the sort of suggestions the ACLL received on the issue of political reform, see A. Woodrow to G. Wilson, 18 April 1840, G. Wilson Papers, AD-MCRL. Woodrow called the mixed theory of government a "Monster of Absurdity" and advised the League Chairman, "Before you can reasonably expect to get rid of the corn laws you must strike at the root from whence they spring—change your form of government from the 'Aristocratic' to a 'Representative.'"
 15. "Circular," *ABTC*, 24 March 1842. The article went on to denounce the income tax as a tool introduced when landlords first "warred with the nascent liberties of Europe."
 16. "Monopoly Viewed in Connexion with Despotism," *The League*, 25 November 1843.
 17. "To the Secretary of the Anti-Corn-Law League," *The League*, 23 March 1844. For a discussion of the ACLL use of public opinion and the advantage of the large body of public sentiment to which the League directed its appeal, see G. S. R. Kitson Clark, "The Electorate and the Repeal of the Corn Laws," *Transactions of the Royal Historical Society*, 5th Series, 1(1951):109-26. There is also some evidence to suggest that opponents of repeal saw the corn laws as essential to the existing political and social system of the nation. Opponents of the 1838 Villiers motion in the House of Commons—the annual test of repeal strength in the Commons—argued in the debate that it was essential to preserve the corn laws "as a political institution—that they were essential to the preservation of our old constitutional system." See *Annual Register*, 1838, vol. 80, pp. 171-72.
 18. For a discussion of Cobden and the "new dispensation" of civilization wrought by industrialization, see MacCunn, *Six Radical Thinkers*, pp. 88-98. See also Cunningham, *Rise and Decline of Free Trade Movement*, pp. 66-84, and Llewellyn, *Decade of Reform*, pp. 142-64.
 19. A Member of the Anti-Corn-Law Association in the Hundred of Bassetlaw, *The Corn Laws a National Evil* . . . (Chesterfield: Atkinson, 1840), p. 3.
 20. The *Anti-Bread-Tax Circular* carried a report of a free trade demonstration held in Edinburgh in early 1843, at which the following lengthy resolution was adopted:

That the agriculture of Great Britain has been greatly improved, and the value of land immensely enhanced, by the aid of her manufactures and commerce, while the landowners have ill-requitted the advantages which they have derived from capital, enterprise, and industry of their fellow-subjects, by imposing shackles on trade, and especially by the imposition of the corn and provision laws, which are at once unjust in principle, immoral in tendency, and disastrous in operation, and will be ruinous in their ultimate consequences, as well as to agriculture and landowners themselves, as to the manufacturing and mercantile classes; and that this opinion has been abundantly verified by the experience of the last four years, during which the nation has been reaping the fruits of its unwise, unnatural, and oppressive legislation, in the decline of its trade, the destruction of capital, and the physical, moral, and social deterioration of its operative population.

- See "Provincial Meetings," *ABTC*, 24 January 1843.
21. "George Richardson Porter, Esq.," *ABTC*, 21 April 1841; "James Deacon Hume, Esq.," *ABTC*, 21 April 1841; "Why Is Employment So Scarce?" *ACLC*, 10 September 1840. See Barnes, *History of English Corn Laws*, pp. 265-66, especially Cobden's speech to the Commons. Capital for agricultural improvement was an important consideration in the implementation of repeal of the corn laws. D. C. Moore has given considerable attention to this issue in "The Corn Laws and High Farming," *Economic History Review*, 2nd Series, 18(1965-1966):544-62. See also Betty Kemp, "Reflections on the Repeal of the Corn Laws," *Victorian Studies* 5 (March 1962):189-204; and "The Great Anti-Corn-Law Meetings and Banquets in Manchester," *ABTC*, 7 February 1843, at which R. H. Greg discussed the need for agricultural capital for improvements in order to increase productivity.

22. "When Will Trade Improve?" *ACLC*, 16 July 1840.
23. "Correspondence," *ABTC*, 14 February 1843. See also Morley, *Cobden*, p. 179.
24. *Ibid.*
25. "Address to the Boroughs, and c. of England," *ABTC*, 16 June 1841, reprinted from the *Leeds Mercury*. Similar assertions may be found in the account of the debate on Villiers' motion in 1839 for a committee of inquiry, found in the *Annual Register*, 1839, vol. 81, pp. 30-31.
26. James Wilson, *Influences of the Corn Laws, As Affecting All Classes of the Community, and Particularly the Landed Interests* (London: Longman, 1840), pp. v-vii, 1-6.
27. *Ibid.* In his discussion of the period from 1815 to 1839, Wilson identified two interests with regard to the corn laws. The first was the interest of the landowners who, in Wilson's view, had used the corn monopoly to protect the value of their property, maintain their contracts and leases, and protect their industry from foreign competition. The second was the interest of the merchants, manufacturers, and mechanics who argued that protection increased the prices of the necessities of life and caused distress and unemployment, as well as a host of other social and economic ills. Wilson argued for a coincidence of interests and suggested that "individuals, communities or countries can only be prosperous in proportion to the prosperity of the whole."
28. *Ibid.*, pp. 57-58. To the problem of demand for grain being relatively inelastic, Wilson argued that population increases would cause demand to keep pace with productivity increases in agriculture. Wilson demonstrated his conclusions concerning price fluctuations, improvements, and competition by means of a fairly detailed statistical analysis of agricultural production and price levels during the period 1815-1839. He argued, for example, that the low prices of 1814-1815 had had the effects of discouraging production of domestic corn, attracting less capital for improvement, and reducing the demand for arable land as well as for labor. The result of this situation, in Wilson's analysis, was significantly less cultivation of corn in 1816; this decrease, coupled with a particularly bad season, produced the shortages and the extremely high corn prices of 1817. In Wilson's view, the high prices of 1817-94s./quarter—tended to encourage production, which led to oversupply and ruinous prices by 1822, when wheat sold for as little as 43s.3d./quarter. See pp. 16-23. The impact of Wilson's book was considerable. The book itself and its main arguments were cited many times by the League in its newspapers and by League leaders and spokesmen in their speeches and writings. Archibald Prentice, for example, employed not a few of Wilson's arguments in the series of lectures he delivered in northern agricultural districts in 1842. See "Farmers and the Corn Laws," *ABTC*, 13 December 1842, reprinted from the *Chester Chronicle*.
29. Apart from opposing landlordism as antithetical to free trade, as a vestige of feudal privilege, or as the political or social system of the corn laws, the League had other incentives for criticism of the elements of landlordism. Leaguers actively sought the support of both tenant farmers and agricultural laborers; this was especially so after the spring of 1843, when the League began a direct and extensive effort to obtain support from agriculturalists for repeal of the corn laws. There is little doubt that expression of sympathy for the problems and aspirations of tenants and laborers was of considerable importance in the effort to attract their support.
30. "The Landowners. What Have They Done?" *The League*, 30 December 1843.
31. "Lecture by Mr. J. C. Fitzgerald, A.B.," *ABTC*, 14 March 1843.
32. Taylor to Cobden, ?December 1841, Cobden Papers, WS-PRO. Taylor wrote:

Viewed merely in a historical point of view, the struggle between the industrial spirit of the Saxon race, & the military despotism of the Normans is one of the most interesting on record. Every insurrection from 1066 to the present day was more or less designed to set industry free from the trammels which had been imposed upon it by feudalism. Wat Tyler took up arms against an unjust system of taxation; Ship-money, tonnage and poundage were the main causes of the Great Civil War, & the Hanoverian succession was chiefly effected by mercantile interests.

Taylor's historical analysis may be open to question, but his letter illustrates the extent to which free-traders viewed their agitation as a battle against feudal privilege and landlordism. James Wilson took a view of the repeal agitation quite similar to that of Taylor. See James Ashley Moncure, "James Wilson and *The Economist*, 1805-1860" (Ph.D. diss., Columbia University, 1960), pp. 166-67.

Cobden, Bright, Fox, and other prominent League spokesmen took up the themes of feudal privilege and landlordism in their agitation against the corn laws. See *Hansard's Parliamentary Debates*, 3rd series, vol. 78 (London: Hansard, 1803–1891), pp. 785–810. This speech by Richard Cobden to the House of Commons was also cited by Prentice in *History of the Anti-Corn-Law League*, pp. 305–9. See also John W. Derry, *The Radical Tradition: Tom Paine to Lloyd George* (New York: St. Martin's, 1967), p. 216; McCord, *Anti-Corn-Law League*, pp. 20–21; and Barnes, *History of English Corn Laws*, pp. 211–16. See "Specimens of the Aristocratical Contempt for the People," *ABTC*, 19 May 1841. The ACLL advertised in *The League*, 23 December 1843, a book highly critical of aristocrats by J. J. Macintyre entitled *The Influence of Aristocracies on the Revolutions of Nations Considered in Relation to the Present Circumstances of the British Empire*. See also M. A. Fitzsimons, "Britain in the 1840s: Reflections in Relevance," *Review of Politics* 31 (October 1969):52; "Miscellaneous. The League Agitation," *The League*, 6 April 1844, reprinted from *Tait's Magazine*.

For more on the theme of the Norman Yoke, consult Theodore Barth, "A Jubilee of Free Trade and Democracy," in Henry Dunkley, et al., eds., *Richard Cobden and the Jubilee of Free Trade* (London: Unwin, 1896), pp. 122–66 and especially p. 133. See also Cobden, "Liberté et protection," offprint from *Journal des économistes*, pp. 236–38, Cobden Papers, WS-PRO; Ausubel, *Bright*, p. viii; Richard B. O'Brien, *John Bright* (London: Nelson, 1913), pp. 28–52 passim; John Bright, Notes for a Speech at Free Trade Hall, 10 January 1849, Bright Papers, British Museum Add. MSS. 43,392; and John Bright, Notes for a Speech on the Irish Question at Free Trade Hall, 25 October 1849, Bright Papers, British Museum Add. MSS. 43,392. See too Richard Garnett, *Life of W. J. Fox, Public Teacher and Social Reformer, 1786–1864* (London: Lane, 1910), pp. 264–65, speech delivered by Fox at Covent Garden Theatre on 7 August 1844.

33. See, for example, "The Labourers of Dorsetshire," *ABTC*, 21 March 1843.
34. "Agriculture," *The League*, 30 December 1843.
35. Richard Cobden, *Total Repeal, Speech by R. Cobden, Esq., M.P., in the House of Commons on Monday, May 15* (Manchester: ACLL, 1843): "The Protection-to-Labour Fallacy Exploded," *ACLCL*, 27 August 1840; "The Farmers' Interests Best Consulted by a Regular Importation of Corn," *ABTC*, 13 December 1842; and "The Great Anti-Corn-Law Meetings and Banquets in Manchester," *ABTC*, 7 February 1843. The widely distributed League tract, *Facts for Farmers* (Manchester: Gadsby, n.d.) argued (pp. 1–4) that neither tenants nor agricultural laborers derived any real benefit from the corn laws and accused landlords of being "guilty of all the evils, crimes, miseries, and physical and moral deteriorations which are inflicted upon the people by the corn laws."
36. "Improvements in Agriculture the Best Protecting Duty," *ACLCL*, 3 September 1839; "Improved Farming—Who is to Begin?" *The League*, 21 September 1844; "High Farming vs. Monopoly," *The League*, 21 September 1844. Cobden had long held the view that aristocrats stood in the way of capital improvements in general; see Cobden, *England, Ireland, and America*, pp. 30–34, as well as Cobden to Bright, "private," 1 October 1849, Cobden Papers, British Museum Add. MSS. 43,649.
37. "The Great Anti-Corn-Law Meetings and Banquets in Manchester," *ABTC*, 7 February 1843.
38. *Ibid.*
39. "Improved Farming—Who is to Begin?" *The League*, 21 September 1844; and "High Farming vs. Monopoly," *The League*, 21 September 1844. The importance of better management of estates and agricultural improvements in the process of repeal of the corn laws was perhaps first recognized by D. C. Moore in "The Corn Laws and High Farming" in *Economic History Review*. Moore was interested in those elements of Peel's 1846 Corn Importation Bill which were intended to encourage and facilitate high farming. Moore emphasized that Peel was largely an agriculturalist in outlook and recognized the value of high farming. Under Peel's bill, repeal was not immediate but to be phased in over a period of three years. The heart of Moore's analysis is his discussion of the specific provisions of the bill and Peel's general scheme for agricultural improvement, which was to facilitate the development of high farming. Of great significance, according to Moore, was government assistance for loans to improve drainage, which, though not of an enormous amount, did much to popularize high farming through introduction of technological improvement. Moore asserts that Peel's Corn Importation Bill was an aid to agricultural improvement and that the provisions of the bill that dealt with improvements were

of considerable importance in getting a sufficient number of agriculturalists to accept repeal. The Anti-Corn-Law League opposed "compensations" to farmers in the form of drainage loans, arguing that such loans drawn from the public treasury bore "a strong family likeness to protection against competition" and were "marvelously apt to be metamorphosed, when the public is not looking, into gifts." See "The Compensation," *The League*, 31 January 1846.

40. *Annual Register*, 1845, vol. 87; pp. 63–65. Cobden spoke on March 13, 1845. In a letter to George Wilson, Richard Cobden described the project as "a model farm with a model lease—model offices & model cottages with gardens to prove our faith in our principles that the soil is capable of as great & profitable development as manufactures." See Cobden to Wilson, undated, Friday, G. Wilson Papers, AD-MCRL. The letter was almost certainly written on Friday, 14 March 1845, for in it Cobden refers to his speech on Thursday. In the letter Cobden outlined his discussion of the project with John Bright and mentions that purchase of such an estate could lead to the creation of a thousand new county voters. He suggests that the money be raised in £60 shares and believes that it could be collected within a fortnight. Cobden emphasizes that some "first rate farmer" should take the lease and that for the time being nothing should be said about the creation of new electors.
41. "The Great Anti-Corn-Law Meetings and Banquets in Manchester," *ABTC*, 7 February 1843. According to Sherriff,

This is the way farmers have been protected, protected from every thing but poverty, dependency, and debasement. I see no prospect of better times for the farmer until prices get down as low as they can. Open the ports, and prices and rents will fall at once, and not in the slow farmer-killing way they have done since the war. Your manufactures would revive; your operatives would fill themselves; the consumption of the country would increase amazingly. Ships would clear out, laden with goods, and return with corn. I think the prices of farm produce would begin to rise, and farmers reap the benefit; rents would also rise.

In its appeals to landlords, the ACLL employed the argument that repeal of the corn laws would at the very least not diminish rents and would likely have the effect of increasing them. On the surface it may appear that this view was inconsistent with the assertions the League made with respect to rents in its appeals to farmers, and one must remain cautious in accepting the assertions of a propaganda machine. Yet, there is considerable evidence to suggest that Leaguers believed that under a system of free trade, profits, prices, and wages would all increase—and that they would do so faster than rents; thus rents might increase absolutely while declining in relative terms. See "The Free Importation of Foreign Corn Must Raise the Landlords' Rents," *ACLCL*, 20 August 1839. See also "Dialogue Between a Landlord and a Merchant," *ACLCL*, 20 August 1839; Arthur Morse, *Agriculture and the Corn Law. Prize Essay Shewing Injurious Effects of the Corn Law Upon Tenant Farmers, and Farm Labourers* (Manchester: Haycraft, 1842), pp. 1–16.

42. "Agriculture," *The League*, 30 December 1843. See also "The Great Anti-Corn-Law Meetings and Banquets in Manchester," *ABTC*, 7 February 1843; "Land Tenure Inquiry in England," *The League*, 16 December 1843; "Security of Tenure," *The League*, 13 September 1843; and "Leases Essential to Agricultural Improvements," *The League*, 31 August 1844, reprinted from *British and Foreign Review*.
43. "The Bread Taxers' Hunt," *ACLCL*, 17 December 1840, reprinted from *The Sun*; "Game & Crime," *The League*, 30 March 1844. See also "Game"; "A Country Gentleman on the Game Laws"; "Game-Preserving and Incendaries"; "The Game Laws: The Farmer's Bane, the Peasant's Curse"; and "Poaching Extraordinary"—all in *The League*, 13 July 1844, and all reprinted from the *Brighton Herald*. See P. B. Munsche's recent study, *Gentlemen and Poachers: The English Game Laws, 1671–1831* (Cambridge: Cambridge University Press, 1981) as well as "Rural Crime—The Game Laws," *The League*, 8 June 1844; "Effects of the Game Laws," *The League*, 24 August 1844, reprinted from the *Leeds Mercury*; "What Make [sic] Poachers," *The League*, 31 August 1844; and "Anti-Game-Law Meeting," *The League*, 27 June 1846.
44. "Game," *The League*, 13 July 1844, reprinted from the *Brighton Herald*. See also "Game-Law Oppression. The Modern Forest Laws," *The League*, 2 November 1844. Harriet Martineau's book, *Forest and Game Law Tales*, 3 vols. (London: Moxon, 1845), emphasized the same theme. See "Review," *The League*, 17 January 1846.

45. "Rural Crime—The Game Laws," *The League*, 8 June 1844; "Effect of the Game Laws," *The League*, 24 August 1844; "Game and Crime," *The League*, 30 March 1844; and numerous reports under the heading "The Game Laws," in *The League*, 11 January 1845.
46. "The Repeal of the Corn Laws a Religious Question," *ACLC*, 26 November 1839, reprinted from *The Patriot*. The League itself appears to have tried to use the moral argument to encourage greater support from the Anglican clergy, or at the very least to demonstrate their indifference to suffering, when it published a review of a book that detailed the conditions of the laboring poor and that was directed specifically to Anglican clergymen. See "Review," *ACLC*, 7 October 1841. The book being reviewed was *An Address to the Clergy of the Established Church Showing the Tendency of Starvation to Engender Epidemic Disease*, by "A Physician," and published in London by Houlston and Hughes in 1841.
47. Thomas Spencer, *Religion & Politics: Or, Ought Religious Men to Be Political?* (London: Green, 1843), passim. Spencer, who became known as the Anti-Corn-Law Curate, produced a pamphlet in 1840 that was designed to appeal to his co-religionists. *The Prayerbook Opposed to the Corn Laws: Or, Who Are the Nonconformists?* used the church catechism and the scriptures to explain that the corn laws were contrary to the prayer of Jesus that each man should have his daily bread. The League took considerable interest in this pamphlet, publishing portions of it in the *Anti-Corn-Law Circular*, and Spencer apparently had a thousand copies sent to the League during the summer of that year. Two years later the League published an address to farmers that cited the teachings of Thomas Cranmer, in which the Anglican martyr had asserted that the excessive corn prices of his time were equivalent to theft in the eyes of God. Thus the ACLL attempted to enlist the support of Anglicans as well as Dissenters, though not often with great success. See Thomas Spencer, *The Prayer Book Opposed to the Corn Laws: Or, Who Are the Nonconformists?* (London: Green, 1840), passim. This pamphlet was extracted by the ACLL as "The Prayerbook Opposed to the Corn Laws; Or, Who are the Nonconformists?" in *ACLC*, 21 May 1840. See Spencer to ACLL Office (Wilson?) 25 July 1840, ACLL-Letterbook, AD-MCRL. References to Thomas Cranmer appeared as "An Address to Farmers, at Over, in Cheshire," *ABTC*, 3 November 1842. The address had originally been delivered by Rev. Gilbert Elliott on 26 October 1842, when Prentice had met with a deputation from Northwich to plan a conference of farmers.
48. Two issues of the *ABTC* were entirely devoted to this conference—12 August 1841 and 26 August 1841. See also the ACLL's *Report of the Conference of Ministers of All Denominations on the Corn Laws* (Manchester: Gadsby, 1841).
49. "Opinions of the Press Regarding the National Conference of Ministers at Manchester," *ABTC*, 29 July 1841. The charge of conspiracy had first appeared in the *Blackburn Standard* on 21 July and had been reported by other papers including the *Bolton Free Press*. See "To the Editor of the *Anti-Bread-Tax Circular*," *ABTC*, 29 July 1841. This letter from Rev. J. W. Massie denies the charges and emphasizes that the clergy from the Church of England had been invited and that some were in fact planning to attend.
50. "The Anti-Corn-Law Almanack," *ACLC*, 19 November 1840.
51. "Corn Law Consistency—Our Clerical Opponents," *ABTC*, 27 December 1842. Cogden repeated the same charge at an ACLL meeting in Bradford, which was reported in "Provincial Meetings," *ABTC*, 11 January 1843.
52. *Ibid.*
53. "The Corn Law the Cause of Revolution," *ACLC*, 1 October 1839. The article complained that the opponents of repeal in the Church of England "will insolently thrust in our face their fat establishment, and make the necessity of preserving it in its plethoric condition one of the chief arguments for supporting pauper robbery."
54. J. B. Smith to Sidney Smith, 3 July 1839, J. B. Smith Papers, AD-MCRL. Smith warns his reader not to reveal his Unitarian views, writing, "Above all do not let the cloven foot be seen [Unitarianism] such is the ignorance & prejudice of people that the fact of a man being a Socinian is enough to destroy the effect of everything he says on any other subject."
55. "Sir Robert Peel," *ABTC*, 15 August 1841.
56. *The Church and the League* (Manchester: Gadsby, n.d.), pp. 1-8.
57. "The Parsons and the Corn Laws," *ABTC*, 29 July 1841.
58. *Ibid.*

59. McCord, *Anti-Corn-Law League*, pp. 15–17; “A Voice from the Board of Trade,” *ACLC*, 26 March 1840; J. D. Hume, *Evidence on Import Duties* (Manchester: ACLL, n.d.). The League newspaper published a parable from Bulwer’s *England and the English* which depicted Industry as a great giant fettered by tithes and bounties. See “The Giant Industry in Fetters,” *ACLC*, 10 September 1840. See also “Questions for the Times,” ACLL Circulars and Tickets, SSL-MCRL, and W. J. Fox, “The Political Influence of a Church Establishment,” in *Lectures Addressed Mainly to the Working Classes 1845–49*, 4 vols. (London: Charles Fox, 1845–1849), vol. 1, pp. 285–99. Leaguers opposed tithes also as a land tax not fairly borne by the landowners themselves. The ACLL reprinted pamphlets by J. D. Hume on this subject, including extracts from a series of letters by Hume in *Evidence on Import Duties*, in which Hume was highly critical of the corn laws, asserting that they acted as a form of tax-relief for landlords by shifting the burden of land taxation to laborers and manufacturers. W. J. Fox took a quite similar view.
60. Joseph Brotherton was an early opponent of church rates and so was Joseph Hume; in 1834 both men supported Lord Althorp’s plan for removal of church rates and for putting the cost of upkeep and repair of church property on the land tax. See Brotherton to J. B. Smith, 21 April 1834, J. B. Smith Papers, AD-MCRL. J. B. Smith emphasized his opposition to church rates when he stood for Parliament at Blackburn in 1837. See Election Broadside of J. B. Smith, 19 July 1837, J. B. Smith Papers, AD-MCRL. Rev. Thomas Spencer mentioned church rates as among laws that religious men with the welfare of mankind at heart should examine—and oppose—in order to accomplish necessary reforms of both church and state. See Spencer’s pamphlet, *Religion & Politics*, pp. 14–16.
- In an address to electors published in *The League* for the City of London by-election of 1843, the League author followed the example of the Council and disavowed participation in general politics, but he called the attention of electors and readers alike to the fact that the monopolists’ candidate, Mr. Baring, supported the perpetuation of church rates and that he had endorsed the education bill during the previous parliamentary session. See “To the Electors of the City of London,” *The League*, 14 October 1843, and “Questions for the Times,” ACLL Circulars and Tickets, SSL-MCRL.
61. John Bright, *Address to the Inhabitants of Rochdale on the Late Church Rate Contests with some Remarks on an Address by the Vicar of Rochdale* (Rochdale: James and Crosskill, 1840), p. iii and pp. 1–24 passim. Bright railed against the maintenance of a system of worship by compulsion and was outraged at what he regarded as fraudulent voting at the Rochdale poll and intimidation of opponents of the rates by calling out troops. Bright’s blistering pamphlet indicted church rates in general and the Rochdale poll and rate proposal in particular, and it was republished numerous times. Bright complained that the established church had ten places of worship in Rochdale that had been provided by government funds already, and that the forty-four chapels of Dissenters in the parish had been constructed from private contributions and provided “for the decent maintenance of Divine Worship, without compelling from any, much less such of their neighbors as never enter them.” See also William Robertson, *Life and Times of the Rt. Hon. John Bright, M.P.*, 2 vols. (London: Cassell, 1877), vol. 1, pp. 98–110; Read, *Cobden and Bright*, pp. 90–92; and Robbins, *Bright*, pp. 25–27. In 1841 Mr. Easthope offered a motion in the House of Commons to abolish church rates and to empower members of the Church of England to rate themselves for pews, seats, and repairs. See *Annual Register*, 1841, vol. 83, pp. 82–83.
62. John Bright, *Speeches on Questions of Public Policy*, ed. J. E. T. Rogers (London: Macmillan, 1868), 16 April 1845, p. 296. See Also Trevelyan, *Bright*, pp. 160–62. Cobden, an Anglican, was far more willing than Bright and other Leaguers to accept the position of the established church in English society. See William Harbutt Dawson, *Richard Cobden and Foreign Policy: A Critical Exposition With Special Reference to Our Day and Its Problems* (London: Allen and Unwin, 1926), p. 72; Morley, *Cobden*, pp. 117–22, 486. Bright tended to see privilege, whether religious or political, as part of a single exclusive system maintained by Anglican landed aristocrats

- and gentry. See Read, *Cobden and Bright*, pp. 90–91. Ebenezer Elliott, the Corn Law Rhymers, favored disestablishment of the Church of England, too. See Simon Maccoby, *English Radicalism* (London: Allen and Unwin, 1935), p. 181.
63. Fox, "The Maynooth Grant," in *Lectures*, vol. 1, p. 336.
 64. Fox, "The Political Influence of a Church Establishment," in *ibid.*, pp. 285–99; and "The Political Influence of a Church Establishment, 2nd Lecture," in *ibid.*, pp. 300–17.
 65. Edward Miall, *The Nonconformists's Sketch-book: A Series of Views of a State-Church and Its Attendant Evils* (London: Aylott and Jones, 1845), *passim*; Arthur Miall, *Life of Edward Miall, formerly Member of Parliament for Rochdale and Bradford* (London: Macmillan, 1884), pp. 33–123. Miall's book was a collection of articles written for the *Nonconformist* from 1841 to 1845. The avowed object of Miall's journal was disestablishment of the Church of England. In the book, Miall attacked the argument that government should provide for the religious instruction of its subjects, argued that a state church was contrary to Christianity, and blamed established religion for a wide variety of social evils. See *Dictionary of National Biography*, vol. 13, pp. 324–26. Consult the anonymous pamphlet, *The Church and the League*, published by Gadsby, for a similar view.
 66. "Conservative Journal," *ACLCL*, 10 December 1839. See also "'No Corn Laws' versus 'No Popery,'" *ACLCL*, 5 November 1840, reprinted from *The Examiner*.
 67. *Ibid.*
 68. "Proceedings of the Lecturers," *ACLCL*, 28 May 1839.
 69. *Ibid.*
 70. "Review," *The League*, 25 November 1843. The book reviewed was *The English Universities*, trans. F. W. Newman (Manchester: Sims and Dinham, 1843).
 71. "Unholy Alliance of the War Party and the Bread Taxers," *ACLCL*, 22 October 1840; "Important Meetings at Warrington Union of Chartists With Other Reformers in Favour of Repeal," *ACLCL*, 3 December 1840.
 72. Cobden to Sturge, 16 October 1852, Cobden Papers, British Museum Add. MSS. 43,653. In this letter Cobden reflected upon the depictions of the militia utilized by the ACLCL in the 1840s and argued that the British aristocracy continued to oppose general disarmament because the younger sons of the nobility benefited from place and position in the military establishment. See also same to same, 6 September 1846, Cobden Papers, British Museum Add. MSS. 43,655; and same to same, 14 September 1852, Cobden Papers, British Museum Add. MSS. 43,653.
 73. Cobden to Tait, 4 June 1835, Cobden Papers, British Museum, Add. MSS. 43,664. For discussion of Cobden's view that agitation was the key to reducing military misadventure and aristocratic misrule as well as the threat Cobden believed these posed for democracy, see Edward Hughes, "The Development of Cobden's Economic Doctrines and His Methods of Propaganda: Some Unpublished Correspondence," *Bulletin of the John Rylands Library* 22 (1938):407–8.
 74. Same to same, 14 June 1836, Cobden Papers, British Museum Add. MSS. 43,665. See also Cobden to Place, 11 May 1838, Francis Place Papers, British Museum Add. MSS. 37,949; Cobden, *England, Ireland, and America*, pp. 3, 35–36; "National Honour," *The League*, 10 August 1844. The last-named reports on the speech of Thomas Milner Gibson on the subject of self-interest of the aristocracy in foreign intervention and war at a League meeting 7 August 1844. See also Dawson, *Cobden Foreign Policy*, pp. 7–8, 249–57.
 75. W. J. Fox, "English Wars: Their Causes, Cost, and Consequences," cited in Garnett, *Fox*, pp. 271–72. See also Trevelyan, *Bright*, p. 273.
 76. See pp. 214–216.
 77. "Weekly Meeting of the League," *ABTC*, 27 December 1842. The speaker was identified only as Mr. Bayley; it is not clear whether this was Henry, William, or Charles Bayley, all of whom resided in Stalybridge and were members of the League Great Fund General Committee.
 78. *Ibid.*

79. "The National Anti-Corn-Law League," *The League*, 28 October 1843; and "Monopoly Viewed in Connexion with Despotism," *The League*, 25 November 1843.
80. Ibid.
81. "Great Free Trade Demonstration in Liverpool Amphitheatre," *ABTC*, 5 September 1843.
82. "To the Right Honourable The Earl of Harewood, President of the Yorkshire Society," *The League*, 16 March 1844; "Review," *The League*, 30 March 1844; and "The Anti-Corn-Law Conference," *ABTC*, 14 July 1842. For a discussion of the primacy of liberty in all things in the mind of P. A. Taylor, see J. Morrison Davidson, *Eminent Radicals In and Out of Parliament* (London: Stewart, 1880), pp. 29–38. For a discussion of Cobden's belief in individual liberty, free markets, freedom of opinion, and free exchange, see Francis W. Hirst, *Richard Cobden and John Morley* (Swindon: Swindon Press, 1941), pp. 36–37. For an assertion of the Christian origins of Joseph Sturge's views on liberty, see Stephen Hobshouse, *Joseph Sturge: His Life and Work* (London: Dent, 1919), pp. 51–56. See also the interesting contemporary treatise by John Francis Bray, *Labour's Wrongs and Labour's Remedy: Or, The Age of Might and the Age of Right* (Leeds: David Green, 1839), esp. pp. 12–18.

Moral Development and Critiques of Anarchism

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I. Anarchism and the Impracticality Criticism

Anarchism, literally, means “without authority,” although it is most commonly defined as a system in which social order is maintained voluntaristically, without the presence of a state or any other coercive mechanisms.¹ There are many varieties of anarchism, and it is difficult in just one brief paragraph to specify the central beliefs. Nonetheless, there are some widely shared assertions, among which are (1) the primacy of individual sovereignty; (2) the opposition to coercive authority of any kind impinging upon the individual’s freedom; (3) the principle of voluntarism or mutual aid as the basic social cement for society; (4) a “human solidarity” model, which recognizes that a free individual within a free society is the only basis for realizing humans’ full potential—and that individual and society are inseparable, not mutually exclusive or antagonistic. Clearly, such contentions are incompatible with the existence of sovereign government. By its very nature, according to anarchists, government is coercive and suppresses freedom. They believe that only by continually asserting its legitimacy and its right to coerce can the state continue. Thus, it follows that the state must be abolished if there is to be freedom.

If the state is destroyed, what agencies will assume such critical social functions as education or health care? Anarchists suggest that voluntary associations are the answers to these and other needs. People would freely and voluntarily contribute time and resources to fulfill basic collective needs. Anarchists may differ on the roots or motives behind this cooperation (some see it based on utilitarian principles, some on the basis of natural law, some on egoistic grounds, and some on the foundation of biological predispositions), but they do agree on the practicality of voluntarism and mutual aid as a basis for taking care of social functions.

The most obvious and widely shared criticism of anarchism is that it is, quite simply, impractical. It is argued that people need the state and government in order to survive. Humans are, to the critics, by nature or socialization greedy and uncooperative, and the state is needed to protect people from one another. Bertrand Russell, among others, argued against anarchism on these grounds, maintaining that

the State, in spite of what Anarchists urge, seems a necessary institution for certain purposes. Peace and war, tariffs, regulations of sanitary conditions and the sale of noxious drugs, the preservation of a just system of distribution: these, among others, are functions which could hardly be performed in a community in which there was no central government.²

There is little need to elaborate upon this point, for it is one that most people find implicitly congenial. The basic assumption is that without laws and authoritative regulations laid down and enforced by the state, there would be chaos and disorder.

However, from the viewpoint of contemporary cognitive development theory, I view this obvious criticism in a somewhat different light—as, to some extent, the result of a relatively low level of moral development. To demonstrate this, I use the perspective of Lawrence Kohlberg, perhaps the most eminent theorist of moral development in the United States today, and note its applicability to the question of the functions of law.

II. Kohlberg's Moral Development Theory and Its Application

Kohlberg emphasizes that his theory of moral development is embedded within the more general process of cognitive development, the process by which, over time, individuals come to know what they know. Basic assumptions of cognitive development theory include the following:

1. Development involves transformations of cognitive structures which cannot be explained by associationist theories of learning.
2. Development is a result of processes of interaction between the structure of the organism and the environment (the process is not directly shaped by either maturation or learning alone).
3. Cognitive structures are structures of action—there is always the organization of actions upon objects.
4. The direction of development is toward greater equilibrium in organism-environment interactions.³

The core of any developmental position is the doctrine of stages, according to Kohlberg. General characteristics of developmental stages include the following:

1. There are qualitative differences in modes of thinking at different stages.

2. There is an invariant sequence of stages (although the sequence may be speeded or slowed somewhat by cultural factors).
3. Different sequential modes of thought form a “structured whole.”
4. Cognitive stages are hierarchical integrations.

To summarize, Kohlberg states,

Such stage theories view the child's social behavior as reflections of age-typical world views and coping mechanisms rather than as reflections of fixed character traits. As the child moves from stage to stage, developmental theorists expect his behavior to change radically but to be predictable in terms of knowledge of his prior location in the stage sequence and of the intervening experiences stimulating or retarding movement to the next stage.⁴

Kohlberg sees three general levels of moral development, each with two stages.⁵

Higher modes of moral thought integrate and replace lower ones. While one at a higher level can understand and use lower levels well, a person at a given level cannot really understand and apply higher levels. Table 1 presents the stage sequence of moral development, as Kohlberg sees it.

The preconventional level I assumes that individual moral values lie in “external, quasi-physical happenings, in bad acts, or in quasi-physical needs rather than in persons or standards.”⁶ The second level of morality is the conventional. Here, moral value resides in doing good acts or filling good roles to maintain the conventional order and the expectations of others. This is an “other-directed” conceptualization of morality. The final level of morality is postconventional. For the person at this level, morality lies in one's conformity to “shared or shareable standards, rights or duties.”⁷

Data from the Bahamas, Taiwan, Mexico, Turkey, and the United States all indicate some cross-cultural validity to the Kohlbergian scheme. Furthermore, several longitudinal studies support the posited stage sequence.⁸

Advances from one stage of moral development to the next seem to occur at roughly the same age in different societies, although there are some social class differences. One thing to be emphasized is that there is no guarantee that an individual will traverse all six stages. Indeed, only a small minority of people come to be classified as postconventional (stages five and six). The fact that the U.S. sample provides the largest proportion of postconventional respondents has suggested to some that there is an inherent cultural bias built into Kohlberg's framework.⁹ However, there is as yet no final consensus on this issue.

One important point made by Kohlberg is that creating higher-stage institutional environments for people can increase the level of moral reasoning. This conclusion is based on observations of moral regression occurring for those sentenced to prison or reform school, whereas adolescents in Israeli *kibbutzim* do seem to move toward higher stages.¹⁰ In addition, preliminary studies suggest the existence of the so-called “Blatt Effect,” in which a specific mode of

Table 1. Kohlberg's Levels and Stages of Moral Development

<i>Level</i>	<i>Basis of moral judgment</i>	<i>Stages of development</i>
I. Preconventional	Moral value resides in external, quasi-physical happenings, in bad acts, or in quasi-physical needs rather than in persons or standards	Stage 1. Obedience and punishment orientation. Egocentric deference to superior power or prestige, or a trouble-avoiding set. Objective responsibility. Stage 2. Naive egoistic orientation. Right action is that instrumentally satisfying the self's needs. Awareness of relativism of value to each actor's needs. Naive egalitarianism and orientation to exchange and reciprocity.
II. Conventional	Moral value resides in performing good or right roles, in maintaining the conventional order and the expectations of others	Stage 3. Good-boy, nice-girl orientation. Orientation to approval and to pleasing others. Conformity to stereotyped images of majority and judgment by intentions. Stage 4. Law and order orientation. Orientation toward "doing one's duty" and to showing respect for authority and maintaining the given social order for its own sake. Regard for earned expectations of others.

Table 1. Kohlberg's Levels and Stages of Moral Development

<i>Level</i>	<i>Basis of moral judgment</i>	<i>Stages of development</i>
III. Postconventional	Moral value resides in conformity by the self to shared or shareable standards, rights or duties.	Stage 5. Social-contract, legalistic orientation. Recognition of an arbitrary element or starting point in rules for the sake of agreement. Duty defined in terms of contract, general avoidance of violation of the will or rights of others, and majority will and welfare. Stage 6. Conscience or principle orientation. Orientation not only toward actually ordained social rules, but to principles of choice involving appeal to logical universality and consistency. Orientation to conscience as a directing agent and to mutual respect and trust.

instruction seems to elevate level of moral development.¹¹ Instruction based on arousing controversies about moral choice and on “Socratic” questioning about the reasons used by students to justify their choices may “cause” one-quarter to one-half of the students in a semester to move partially or totally upward to the next stage.

A variety of important criticisms have been directed at Kohlberg’s theoretical edifice, one of which (cultural bias) I have already mentioned. Other questions have been raised about the reliability of the measures used to determine individuals’ level of moral development, possible reversibility of stages of moral development, Kohlberg’s focus on the individual level of analysis, the absolutism inherent in Kohlberg’s understanding of morality, and his outright ideological bias.¹² However, for the purposes of this essay, I “bracket” these questions. The focus is on one important implication of Kohlberg’s work, *if* that work is valid.

Tapp and Kohlberg¹³ apply the moral development framework to the development of legal reasoning, since they believe that legal development corresponds with moral development. That correspondence is summarized thus:

<i>Moral Level</i>	<i>Law’s Rationale</i>
Preconventional	Rule-obeying
Conventional	Rule-maintaining (law and order)
Postconventional	Rule-making

For most cultures, Tapp and Kohlberg assert that the modal stage of moral development is the conventional. Results of interviews with students from six countries (Denmark, Greece, India, Italy, Japan, the United States) suggest continuity across cultures in attitudes toward the law and in stages of moral development. It is clear that respondents see law and moral rules as quite similar phenomena; thus, orientations toward law can be subsumed under the rubric of moral development.

When asked why there were laws, respondents at the preconventional level said that there must be punishment to maintain obedience; those at the conventional level said that there would be chaos and disorder without laws, that one was obliged to obey the laws of society; those at the postconventional level saw law in terms of morality and justice—to the extent that individuals at this level felt the laws to be moral and just, they would obey them. The key point of this study is that interpretations of the need for law vary widely by level of moral development. And, as noted earlier, those at lower levels cannot really understand the ideas of those at higher ones, although the higher level thinkers can understand lower level people.

More to the point, when people were asked what would happen if there were no laws, Tapp and Kohlberg found substantial differences by moral level. In the preconventional category (mostly primary and junior high school students from the American sample, although there were some college students at this level as

well), the modal response was that laws prevent concrete physical harm, i.e., specific "bad acts" or crimes. The conventional respondents (some primary students, a large proportion of junior high school students and college students) noted that laws restrain bad behavior and guide the weak to behave themselves, that laws maintain social order (without laws, ironically, conventional thinkers say that there will be anarchy!), and that it is impossible to imagine a society existing without laws.

Finally, the postconventional thinker has quite a different perspective. There were rather few in this category, but those included here tended to think that without laws, nothing awful would happen. People, they believed, would freely agree upon certain rules of the game to maintain a functioning society. Those at the highest level of moral development no longer saw the state and coercive authority as necessary for the existence of order. These individuals believe that human reason will lead to agreement on certain rules, so that things might proceed smoothly. In this sense, there is voluntaristic ordering of society. The implication is clearcut—the argument that anarchism is impractical because it would lead to chaos may be to some extent the result of thinking at lower levels of moral development. Those who achieve postconventional thinking are not constrained by such "conventional morality" and can perceive situations in which principled individuals can order their affairs nicely without external coercion being brought to bear—just as anarchists have for some time argued.

III. Discussion

What of Tapp and Kohlberg's findings? First and foremost, it does seem reasonable to hypothesize that, in fact, criticisms of anarchism which emphasize its impracticality because of a recalcitrant human nature reflect some critics' relatively low level of moral development! Given that those at higher stages can conceive of society remaining orderly without government and its coercive might, this speculation is lent credibility. It seems appropriate to propose that further research on this hypothesis be conducted. This would not seem to be too difficult, either, because there exist measures of moral development. Respondents would answer these questions and then a series of others about the need for government, about the possibilities of life and order without the state, and so on. Then, statistical analysis could be undertaken to determine if the hypothesized relationships hold. This is both a researchable and an interesting issue for further exploration.

A second implication warrants comment, too. If Kohlberg is right (and, as noted before, there is some dispute here) and people living in higher order organizations—or those exposed to a particular mode of education—can advance to higher levels of moral thinking, then it would seem theoretically possible to elevate the general level of moral development, at least somewhat, by creating

institutions that could effect this elevation. We might then see the emergence of an increasing number of individuals who instead of repudiating anarchism as impractical, embrace some of its tenets as reasonable. This is another research avenue that might profitably be investigated.

Finally, it may be that there is, in the Western democracies, a slow movement toward increased numbers of people at the postconventional stage. A number of studies indicate that more and more people—especially the younger generations—are becoming “postmaterial” in their political orientations, that is, their focus is more and more upon self-development, self-fulfillment, and the desire to expand personal freedoms, and less and less on attaining material desires. One study concludes that those who are postmaterial in their views also tend to be at higher Kohlbergian levels of moral development (specifically, postmaterialists are disproportionately at the postconventional level of moral development).¹⁴ And, I think it useful to point out, these postmaterialists in the United States, according to Maddox and Lilie,¹⁵ may well prove to be a base of support for a larger libertarian movement in this country in the future.

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Technological Change and the Profit Motive

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Introduction

The United States emerged with a superior technology early in the nineteenth century. British customs officials confiscated shiploads of American clocks and other products as a violation of British antidumping laws. They discovered, however, that the low prices on American clocks reflected lower costs of production because of the machine production of interchangeable parts, compared to the British clock industry, which relied on higher cost handmade parts. The British began sending delegations to inspect the technology of mass-produced interchangeable parts in the clock and firearms industries. At the Crystal Palace Exhibition in London in 1851, this new technology was referred to as the American system of manufacturing.¹

By the second half of the nineteenth century, Americans had achieved a technological superiority in most industries, while the British technology seemed to stagnate. Corresponding to these trends in technological change, the American economy experienced rapid economic growth while the British economy entered a period of secular stagnation or climacteric.² In the second half of the twentieth century and especially in the last decade, the United States, seems to be repeating the British experience; there is evidence of retardation in the rate of technological change, coinciding with slower rates of productivity advance and economic growth.³ An explanation for the pace and pattern of technological change is important in understanding the growth and welfare of countries at different points in time; yet the traditional analysis of technological change does not provide such an explanation. In this paper we will review the traditional analyses of technological change and contrast them with an Austrian approach to technological change focusing on entrepreneurial decision-making. We will then explore technological change in the American economy, contrasting the nineteenth and twentieth century experience. Specific reference will be made to technological change in the development of our

energy resources that illustrates the limits of the traditional analyses and points out the need for new directions, suggested by Austrian theory, in research on technological change. The analysis also illustrates (1) how myths and misconceptions about technological change continue to dominate our public policies, and (2) why new directions are needed in public policies affecting technological change.

The Traditional Analysis of Technological Change

A number of writers have offered different explanations for the pace and pattern of technological change, and indeed, this controversy continues down to the present day. On the one hand are economists, such as Jacob Schmookler, who maintain that technological change can be explained by economic forces.⁴ He argues that inventive activity and the diffusion of inventions are determined primarily by changes in consumer demand over time. As consumer demand changes, the prospective profit to inventive activity increases, thus rechanneling the efforts of inventors into those lines of activity. In Schmookler's analysis, developments in science and technology are relevant in determining the specific characteristics of inventions, e.g., mechanical, electrical, chemical, biological; but inventive activity is channeled into a specific class of final commodities demanded by the consumers. Science and technology do not function as major independent forces in shaping the timing and direction of the inventive process. Rather, the line of causation runs from economic forces to inventive activity, which then influences not only technology but science as well.

Schmookler's emphasis on demand in explaining inventive activity has been challenged by other writers who focus on the supply side and who see an independent role for scientific and technological advance. Nathan Rosenberg, for example, points to fields such as medicine, where there was an obvious demand for improvements but where progress was delayed until developments took place in the science of bacteriology in the second half of the nineteenth century.⁵ For Rosenberg the body of scientific knowledge grows at uneven rates in different fields, setting constraints on and shaping the direction of progress. He does not view scientific advance as induced in some deterministic sense by economic forces, nor does he see the scientific enterprise as completely autonomous, propelled by its own internal logic. Rather, the disparate growth of scientific knowledge reduces the cost of science-based inventive activity in different industries at different points in time. Similarly, Rosenberg argues that inherent complexity at the technological level influences the allocation of resources to inventive activity and the payoffs to successful invention. For example, the timing of the introduction of coal as a substitute for wood fuel was influenced by technical problems that varied in complexity in different industries. It was relatively easy to introduce coal in the production of salt, lime, and bricks in the seventeenth century. But it was more difficult to substitute coal for wood in the brewing, glass, and iron industries, and successful technological breakthroughs in these industries lagged by as much

as a century. Rosenberg concludes that the timing and direction of inventive activity is influenced by the supply side, i.e., developments in science and technology, as well as by the demand for final goods and services.

We can reject the deterministic view that scientific progress and technological change are induced by economic forces, and we can reject the view that science and technology are completely autonomous and follow some internal logic. But the question remains: How can we explain the pace and pattern of technological change at different points in time? As Rosenberg points out, how do we explain the fact that England experienced rapid technological advance in the late eighteenth century at a time when English science was in a state of decline, or the fact that France, with the most advanced scientific community at that time, lagged behind the British in virtually every phase of technological change? How do we explain the relative stagnation of British technology in the late nineteenth century? There was an obvious demand for technological change in a number of industries, but the British failed to respond to that demand. The demand for electricity in the highly urbanized British society was as great as it was anywhere else in the world, but British electrical engineers failed to respond to that demand. The British electrical industry was developed primarily by foreign electrical engineering firms.

It is clear that to understand the pace and pattern of technological change, we must understand the institutional framework within which technological change occurs. Translating scientific and technological knowledge into new products and production methods is not something that is induced automatically by economic forces. In the final analysis, it is the individual entrepreneur who assumes the responsibility for initiating technological change.

The role of the individual entrepreneur is for the most part ignored in the literature on technological change. The study of individual entrepreneurs is relegated to business history, which has never had a respected niche among academic disciplines. Only recently have scholars begun the sort of systematic analysis of individual entrepreneurial activity that can provide the empirical information necessary to understand the role of the entrepreneur in the process of technological change.⁶

There is one aspect of entrepreneurial behavior that has been explored extensively. Particular groups in a given society supply a disproportionate share of entrepreneurs relative to their share of the total population. One line of inquiry is to explore the social and psychological factors that influence a particular group to emerge in this unique entrepreneurial role. The early work of Weber and Tawney associated this entrepreneurial behavior with religious nonconformity during the Protestant Reformation.⁷ There is an extensive literature on the Protestant Ethic and the rise of capitalism, much of it challenging the Weber-Tawney thesis. More recently, scholars such as Hagen and McClelland have borrowed tools of analysis from social psychology to explore the role of unique entrepreneurial groups, but that work has also stirred controversy.⁸

Perhaps the most important contribution to the analysis of entrepreneurial behavior is the work of Joseph Schumpeter.⁹ Schumpeter placed the entrepreneur as the prime mover in waves of inventive and innovative activity. The entrepreneur launched major technological changes such as the introduction of railroads, which in turn induced secondary innovations in related industries. These waves of innovation were linked to long waves of economic activity. Schumpeter recognized the importance of the institutional framework for entrepreneurial behavior. He argued that rapid technological change in America in the nineteenth century was due to the existence of a laissez-faire economy in which the entrepreneur was given a wide range of freedom to exploit economic opportunities. Schumpeter questioned whether such entrepreneurial behavior would emerge in an economy with extensive government intervention in the market, characterized by bureaucratized decision-making. He expressed reservations regarding the potential for entrepreneurial behavior and continued rapid technological change in the American economy in the twentieth century because of the expanded role for government.

While the entrepreneur is the prime mover in Schumpeter's analysis, his role is largely exogenous to the economic system. The entrepreneur is assumed to exploit the economic opportunity presented by a new product or production method. Technological change is exogenous to the system in the sense that (1) the entrepreneur creates a disequilibrium by introducing the new innovation, and (2) this disequilibrium in turn creates economic opportunities for further innovations leading to a wave of technological advance. Successful entrepreneurs, of course, generate profits, and the profit incentive of a market system is an essential condition for such entrepreneurial behavior, but Schumpeter never addresses the entrepreneurial decision process itself.

The only scholars to analyze entrepreneurial decision-making within the framework of economic analysis are those of the Austrian school. The work of Mises, Hayek, and, more recently, Kirzner and Rothbard provides an analytical framework for relating entrepreneurial behavior to technological change.¹⁰

An Austrian Analysis of Technological Change

The Austrian view of entrepreneurial decision-making begins with the concept of human action developed by Mises. Human action does not confine the decision maker to a framework of given ends and means, i.e., human action involves more than economizing decision-making in which the individual maximizes some set of ends with scarce means. Human action encompasses the very perception of the ends-means framework within which economizing decision-making is to take place. This opens up the possibility for alertness in discovering new goals and new resource possibilities, which the Austrians define as the entrepreneurial element in decision making. The individual is viewed as making a sequence of decisions in which each decision is comprehensible as the logical outcome of the

previous decision. The pattern of change in an individual's decisions is the outcome of a learning process generated by the experience of decision making itself. In order to explain how one pattern of relevant means-ends is replaced by another, we must recognize the entrepreneurial element in decision making, in which the individual's alertness to new information generates a continuously changing sequence of decisions.

In a world of perfect knowledge and certainty, there would be no scope for the entrepreneurial element in decision making. Individual decisions could be explained in the economizing framework of neoclassical economics. Only in a world of imperfect information and uncertainty is the entrepreneurial element present in decision making. The unique characteristic of entrepreneurial decision-making is alertness to potentially worthwhile goals and available resources; the entrepreneur is alert not only to given market data, but also to possible changes in that data and to the potential impact of his own decisions on that data. The entrepreneurial element may be present in the decision making of consumers and resource owners as they attempt to maximize their welfare in a world of uncertainty. However, the pure entrepreneur is defined as a decision maker without means but with the ability to perceive unexploited economic opportunities.

The role of the entrepreneur is distinguished from that of the producer. The producer may be viewed as contributing a resource, i.e., the ability to organize and coordinate the various factors of production into a production team that converts resource inputs into a final output. These managerial resources may be offered in return for a price, which is, in turn, a cost to the firm hiring managerial services. The pure entrepreneur, on the other hand, provides no resource; the entrepreneurial decision occurs prior to the organization of resource inputs in the production process. The entrepreneurial decision may involve the discovery and exploitation of an economic opportunity at the point of contact between the resource market and the product market, but the managerial decisions involved in actually mobilizing resources to produce a final product are made subsequent to that entrepreneurial decision. Entrepreneurial profits accrue to individuals who correctly perceive and exploit economic opportunities. Such opportunities may exist in buying commodities in markets where they are selling for a low price and selling them in markets where they fetch a higher price. Entrepreneurial profits may emerge from the decision to introduce new or improved products, or improved techniques of production; they may also accrue to entrepreneurs who perceive a more efficient organization of the factors of production or other institutional arrangements. We can distinguish these pure entrepreneurial profits from the returns to factors of production, such as the salaries of managers, and the returns to capital. The functions of entrepreneurship, management, and the ownership of capital may overlap in the real world, but we must distinguish the role of the entrepreneur from these other functions if we are to understand the process of technological change.

The Austrian analysis provides a framework for relating entrepreneurial decision-making to the institutions within which those decisions are made. Some institutions are conducive to the perception and exploitation of economic opportunities, while other institutional arrangements are not. While this analysis is in its infancy, several inferences can be made regarding this relationship. First, it is clear that individuals are motivated to engage in entrepreneurial activity because that activity offers pure gain, interpreted broadly to encompass not only economic rewards, but also more esoteric benefits such as fame, power, prestige, and even the opportunity to engage in philanthropic activity. If the individual does not stand to gain from entrepreneurial activity, he is not likely to be alert to unexploited opportunities. Secondly, a free market is most likely to provide an institutional framework in which there is incentive in the form of personal gain for entrepreneurial activity. A free market system based upon a system of property rights and freedom of entry into a trade or business offers pure entrepreneurial profits as an inducement to entrepreneurial success. Further, the market system efficiently provides the information essential for entrepreneurial decisions. Unexploited economic opportunities are signaled by the price system, and individuals alert to these price signals respond by reallocating resources in such a way as to exploit these economic opportunities. Hayek refers to this as the discovery process of a competitive market system. The outcome of entrepreneurial activity in a market system is new and improved products; new methods of production; new forms of industrial organization, financing, and marketing—in sum, the process that we refer to as technological change.

Nonmarket systems, on the other hand, do not provide an institutional framework conducive to entrepreneurial behavior. In the great debate on economic calculation under socialism between the two world wars, this issue was never confronted. Oskar Lange argued that a socialist system could rely upon decentralized decisions by managers of socialist enterprises in response to centrally determined prices. But Lange never addressed the question of how prices would change in response to changes in consumer demand, resource availability, new products and production methods, etc. To assume that central planners could somehow simulate the complex discovery process of entrepreneurs in a market economy is incomprehensible. Central planners in a socialist system lack the information necessary to simulate such changes in the price structure. Further, the managers of socialist enterprises lack the incentive of personal gain that induces entrepreneurial decision-making in a market system. There is no reason to expect such managers to be alert to opportunities for a more efficient allocation of resources or to exploit such opportunities when they are recognized. To argue that socialist managers could retain entrepreneurial profits or that entrepreneurial decision-making could be open to everyone is, of course, to subvert the whole rationale of a socialist economic system. This is not to deny that an incentive system can be used to induce managers to produce more and even to introduce

new products and production techniques. But this assumes a prior entrepreneurial decision by central planners, and we are back to the fundamental flaw that the planners lack the information generated by entrepreneurial behavior in a dynamic competitive market system necessary for an efficient allocation of resources.

We should distinguish between the technological change that emerges from entrepreneurial decision-making in a market system and change that occurs through government decision-making in a nonmarket system. Technological change in response to price signals in a market system is productive activity in the sense that it expands the total supply of goods and services desired by consumers. Successful entrepreneurial decisions will generate entrepreneurial profits, which, in turn, signal a reallocation of resources into those lines of economic activity. Losses accrue to unsuccessful entrepreneurial ventures, and these, in turn, will result in a reallocation of resources away from those activities. This market test is absolutely essential if resources are to be allocated efficiently into economic activities that improve the welfare of the society.

Technological change in a nonmarket system may or may not improve welfare in this issue. It is certainly possible for government planners to allocate resources so as to expand the supply of goods and services available in a nonmarket system. Whether or not that increases welfare depends upon several factors: Are the goods and services produced efficiently in terms of maximizing the output from a given resource base? Do the goods and services produced satisfy consumer demand? Are the government planners alert to new products that will satisfy the shifting tastes of consumers? Will those planners take advantage of new resources and production methods, and new methods of organizing and financing economic activities? We have sufficient evidence to conclude that often nonmarket systems fail in terms of each of these criteria. Technological change often does not occur in nonmarket economies or lags far behind that occurring in market systems. When technological change does occur in nonmarket systems, it is often accompanied by inefficiencies in the allocation of resources. The fundamental problem of technological change in nonmarket economies is the absence of a test for success or failure. Entrepreneurs who fail to introduce technological change, or who do so inefficiently, continue to thrive and become more firmly entrenched because there is no loss signaling that failure. Resources are not shifted to entrepreneurs that successfully introduce technological change because there are no profits signaling that success. Shadow prices in nonmarket economies do not signal success or failure, because the shadow prices reflect the prior decisions made by government officials as part of the planning process, not the dynamic discovery process that occurs in a market system.

At worst, the technological change that occurs in nonmarket economies merely transfers wealth and income from one group in the society to another. Interest groups with access to the government decision process influence planners to allocate resources so as to benefit that interest group. Technological change then

occurs, but given the disincentive effects that usually accompany such transfer activities, the net results is often a reduction in total wealth, with adverse consequences for the welfare of the society.

The limitations of technological change in nonmarket economies such as the Soviet Union have been examined in several recent studies.¹¹ We lack comparable studies of the impact of government decision-making on technological change in Western economies such as the United States.¹² The following section explores this issue with references to the impact of government decision-making on technological change in the energy sector of the American economy.

Technological Change in the American Economy

The traditional analysis has failed to explain the rapid technological change that accompanied the industrial revolution in America during the nineteenth century, and also the recent retardation in the rate of technological advance. We are even further from an explanation for the pace and pattern of technological change in different industries over these time periods.

This literature suffers from some of the inherent limitations of the conventional wisdom in technological change discussed in the previous section. Scientific knowledge was largely irrelevant to improvements in technology during the early industrial revolution. Technological change in firearms, textiles, iron, machinery, and other industries was tied to the empirical knowledge gained by inventors and mechanics through the crude process of trial and error and experimentation. This is not to deny that scientific knowledge could have speeded up the process of technological change. However, the direct application of scientific knowledge as the basis for technological advance came rather late in the industrial revolution. By the second half of the nineteenth century, the limits of raw empiricism had been reached in a number of industries, and further technological change required the direct application of scientific knowledge to technical problems. Scientific advances in turn opened up opportunities for the development of new products and production methods in such industries as chemical fertilizers, metallurgical industries, electrical industries, etc. Yet throughout the nineteenth century, American science lagged far behind that in Europe. It is fair to say that scientific leadership was neither a necessary nor a sufficient condition for technological progress in the early phase of the industrial revolution. It is also fair to say that rapid economic growth and technological change in the nineteenth century opened up new opportunities for inventive activity and for developments in scientific knowledge linked to that inventive activity. However, we should not accept the deterministic view that the growth in demand induced these advances in science and technology automatically. There were substantial lags between the emergence of a demand and technical and scientific breakthroughs, and further lags in the innovation and diffusion of new technologies. In order to understand this process

of technological change, we must understand the role of individual entrepreneurs in responding to the economic opportunities available in different industries and the institutional framework within which these entrepreneurial decisions were made. The nation's first energy crisis in the nineteenth century illustrates this process of technological change.

The Nation's First Energy Crisis

The first energy crisis in the United States occurred in the early nineteenth century.¹³ The major source of artificial lighting in that period was whale and sperm oil, and there were no good substitutes for these fuels. As demand increased more rapidly than supply, the price of these fuels began to rise. Sperm oil rose from \$0.43 per gallon in 1823 to \$2.55 per gallon in 1866. Whale oil rose from a low of \$0.23 in 1832 to \$1.45 a gallon in 1865. Higher prices provided an inducement to producers to expand output of these fuels. From 1820 to 1847 the tonnage of whaling vessels increased by almost 600 percent, and numerous technological changes were introduced to increase the productivity of the whaling industry.¹⁴ Whaling spread throughout the world and the increased allocation of resources into the industry expanded output more than 1,000 percent over that period.

This first energy crisis must be understood in terms of the unique characteristics of the whaling industry. The reason the growth in demand for whales and sperm oil outpaced the growth in supply is that whales are a common property resource. Since no individual whaler could claim private property in whales, there was no incentive to conserve the supply of whales. All the whalers had an incentive to kill off the whales as rapidly as possible, depleting the supply first in the North Atlantic and subsequently in other whaling grounds, forcing the whaling fleets into the Arctic and other distant parts of the ocean. Fortunately, whalers did not exhaust the supply of whales because the high price of whales and sperm oil provided an incentive for the development of our first alternative energy resource, kerosene.

In 1846 Dr. Abraham Gesner, a Canadian geologist, discovered that oil could be distilled from coal, and that kerosene could be drawn off and used as an illuminant. With whale and sperm oil selling for as much as \$3 a gallon, entrepreneurs were quick to exploit the profit opportunities in producing the cheaper kerosene. Within a few years, a number of firms were extracting oil from shale to produce kerosene. The market signals also provided an incentive for discovering and exploiting new sources of oil. Benjamin Silliman demonstrated the potential value of oil found on marshy creeks in Pennsylvania for the Pennsylvanian Rock Oil Company. But it was left to a former railroad conductor and drifter, Colonel E. L. Drake, to discover oil in commercial quantities in Titusville, Pennsylvania, in 1859. When Drake's well produced 25 barrels a day at \$20 per barrel, the

petroleum era was born. By 1867, 300 firms were refining petroleum products, and kerosene quickly broke the sperm and whale oil market. By 1896 sperm oil had declined in price to \$0.40 per gallon, cheaper than at any other time in the nation's history.

The solution to the nation's first energy crisis depended very much on the flexibility of prices in signaling producers to reallocate resources to expand the production of scarce sperm and whale oil and to develop alternative sources of energy in petroleum. That technological and scientific change did not occur automatically; there was a lag of almost half a century between the emergence of that energy crisis and the technological breakthroughs in petroleum that ultimately solved the crisis. That technological change in turn occurred through a series of entrepreneurial decisions in response to economic opportunities in the development of our energy resources over the second half of the nineteenth century.

John D. Rockefeller through the Standard Oil Company performed a unique entrepreneurial role in bringing about that rapid technological change in the petroleum industry.¹⁵ The major technological change was the fractional distillation or cracking method of refining. That method of refining increased the scale of refineries from a few barrels per week to over 3,000 barrels per week by 1870. Larger scale in petroleum refining was related to changes in the transportation and storage of petroleum. Early methods of transport and storage were primitive and expensive, utilizing horse-drawn wagons and large numbers of barrels. Railroads substantially reduced the cost of transporting oil to the refineries; later, pipelines further reduced these costs. The storage of petroleum in barrels and individual retail storage tanks was replaced by a complex system of bulk terminals and road tank wagons.¹⁶

Standard Oil was not always the innovator of these technological changes, but Rockefeller was quick to copy successful innovations by competitors. For example, pipeline transport was first introduced by Tidewater Oil Corporation, but Standard Oil quickly developed its own pipeline facilities. Technological change permitted Standard Oil to lower its costs, and its savings in turn were passed along to consumers in the form of lower prices for petroleum production. The price of kerosene fell nearly 80 percent between 1870 and 1897.

By the 1880s, Standard Oil had captured 95 percent of the domestic petroleum market. Rockefeller had successfully exploited the opportunities for profit in expanding Standard's operations from petroleum refining into crude oil production, transportation, and marketing of petroleum on a worldwide basis. He brought revolutionary changes to the technology and organization of the petroleum industry. However, many writers attribute Rockefeller's success not to his entrepreneurial skills, but rather to monopoly power and predatory practices used by Standard to eliminate competition. These issues are crucial in understanding the entrepreneurial role in technological change.

One charge of abuse of monopoly power leveled against Rockefeller and Standard Oil was occasioned by the rebates they received from railroads. Rebates were a consequence of vigorous competition among railroads for the rapidly growing petroleum traffic. Transportation costs were a major cost to refiners and one way to reduce that cost was to obtain rebates or concessions on the "open" or published rates charged by railroads. Few shippers paid the open rates, and the actual rates paid varied considerably between refiners. As Standard increased its refining capacity, its bargaining position with the railroads improved. Rockefeller was able to negotiate agreements with railroads that assured them of a large and continuous supply of petroleum traffic, thus cutting the railroads' costs; the railroads then passed their cost savings along to Standard in the form of rebates. Other refiners were usually unable or unwilling to negotiate similar terms with the railroads and ended up with smaller rebates.

Standard Oil and several railroad companies then formed the South Improvement Company. Standard was to ship its oil exclusively on railroads that were part of the new company. In return, Standard was to receive a rebate of from 25 percent to 50 percent on freight charges—plus information on oil shipments by other petroleum companies. Formation of the South Improvement Company was proposed, not by Rockefeller and Standard Oil, but by Tom Scott of the Pennsylvania Railroad.¹⁷ The railroad industry at that time was highly competitive, with frequent price wars. The railroads perceived, correctly, that an agreement providing for the shipment of petroleum at stable rates would protect them from the cutthroat competition that characterized the railroad industry. The object of the collusive agreement with Standard Oil was to introduce monopolistic control over the railroad industry. As might be expected, the other railroads soon discovered this collusive arrangement and placed embargoes on the shipments of oil over railroads participating in the South Improvement Company. Political pressure was used in the Pennsylvania legislature to revoke the charter of the South Improvement Company, and the proposed rebates never went into effect.

During the South Improvement Company episode, Standard acquired many of the refineries in the Cleveland area, and its share of the petroleum industry jumped from 4 percent to 25 percent. While the rebates proposed in the South Improvement Company agreement never went into effect, it is argued that the threat posed by the rebate scheme permitted Standard Oil to force its competitors out of business. This argument ignores the threat to competing refineries from improved efficiency and lower costs of the Standard Oil Company. There was excess capacity in the refining industry; while approximately 5.5 million barrels of crude reached the refineries in 1871, refinery capacity was over 12 million barrels.¹⁸ Clearly, the small margin refineries would have been driven out of business even without the threat of rebates through the South Improvement Company. The total number of refineries dropped from 300 in 1863 to 100 in 1872; by the latter date Cleveland's daily capacity of 12,500 barrels was spread among just six refineries, including Standard Oil.

When Standard bought out competing refineries, it very often paid less than the original cost of the refinery. That should not be surprising in the case of small inefficient refineries, some of which were closed down following their acquisition. In some cases Standard paid more than the market value for refineries in order to reserve the talents of an exceptional management. For example, Clark, Payne and Company received \$400,000 for refining properties appraised at \$251,110, the difference being paid for good will and an agreement that Colonel Payne join Standard Oil's management.¹⁹

Another charge leveled against Standard was that it engaged in cutthroat pricing designed to drive out competitors. The recent literature challenges this view in several ways. There is little evidence that Standard Oil actually engaged in predatory price cutting and that this enabled them to eliminate competition to any significant degree.²⁰

The trust form of organization was introduced into the petroleum industry in 1882 when 39 companies were joined together to form the Standard Oil Trust. It is important to point out that Standard had a controlling interest in these companies even before they were joined together to form the Standard Oil Trust. Standard captured most of the market for petroleum before it organized the Standard Oil Trust because it could produce petroleum at lower costs and sell it at competitive prices vis-à-vis its competitors.

The trust form of organization permitted Standard Oil to exert greater monopoly control over the petroleum industry. However, the explanation for this monopoly control was not so much predatory practices vis-à-vis competitors, but rather the efficiencies associated with the trust form of organization. In the view of Davis and North, Rockefeller's success was due to his "ability to acquire sufficient capital to innovate the new refining technology when his competition would not. . . . It was not his knowledge of oil refining, but his ability to present his firm as 'less uncertain' to the Cleveland (and later, New York) financial communities that was the basis of his successes."²¹ In the relatively immature capital market of the second half of the nineteenth century, the access to capital often spelled the difference between success or failure for business enterprise. Rockefeller correctly perceived that the trust form of organization would effectively mobilize the capital required for large scale operations in the petroleum industry.

In addition to the trust, Standard Oil introduced various organizational innovations that made it a precursor to the modern twentieth century corporations. Standard developed sophisticated methods of recovering and analyzing information pertinent to its business. Modern accounting methods were introduced and private telegraphs installed so that management could efficiently control operations. The beginnings of the managerial revolution were evident in management by objectives and the utilization of special advisory committees. Standard was a pioneer in modern research and development activities that kept it on the frontier

of petroleum technology. However, Rockefeller and Standard Oil did not have a monopoly on entrepreneurial ability—a fact that became evident after 1890.²²

The crucial importance of entrepreneurial skills in the development of the petroleum industry is revealed by the trends in the industry after 1890. Table 1 shows that Standard's share of the market reached a peak of 95 percent in the 1880s and then declined continuously up to 1911, when it controlled 64 percent of the market. For some petroleum products Standard's share declined even more: kerosene (95 percent to 75 percent), fuel oil (85 percent to 31 percent), and gasoline (85 percent to 66 percent). This decline in Standard's share of the petroleum market preceded the antitrust suit and dissolution ordered by the Supreme Court in 1911.

Table 1

The Share of Refinery Capacity Controlled by Standard Oil

<i>Year</i>	<i>Percent</i>
1880	95
1899	82
1906	70
1911	64

Source: H. Williamson, R. Andreano, A. Daum, and G. Klose, *The American Petroleum Industry* (Evanston, Ill.: Northwestern University Press, 1959–1963), vol. 2, p. 7.

The explanation for the decline in Standard's share of the petroleum market prior to 1911 is that Rockefeller was less alert to the changing economic opportunities in the industry while other petroleum firms took advantage of those opportunities; in short, entrepreneurial leadership shifted from Standard to other firms. These firms opened up major new oil fields in the western region. Not only did Standard compete less successfully in the new fields, its position in the older fields in Appalachia declined as well. One Standard executive boasted that he "would undertake to drink all the oil that was ever produced [west of the Mississippi]."^{22,23} As a result of this attitude, Standard played little part in the rapidly growing oil fields of Texas and California. The demand for petroleum products shifted away from kerosene toward fuel oil and gasoline, but Standard failed to respond to this shift in demand, and a large share of these new, rapidly expanding markets was captured by its competitors. One author has described the deterioration in Standard's position in the following terms:

Standard's failure was primarily its own doing . . . the responsibility of its conservative management and lack of initiative. The American oil industry passed through a revolution from 1900 to 1920, and Standard failed to

participate fully in it. . . . In a spiralling market for oil such as existed from the turn of the century on, Standard, conservative and technologically uncreative, was no match for the aggressive new competition.²⁴

Given this decline in Standard Oil's position in the petroleum market prior to 1911, what was the impact of the Supreme Court's decision? One way to answer this question is to pose a counterfactual hypothesis that projects what Standard Oil's share of the market would have been in the absence of the decision requiring dissolution of the company. Assuming a continuation into the following decade of the trends in market shares prior to 1911, we estimate that Standard's share of the market for final products would have fallen from 64 percent in 1911 to less than 40 percent in 1919, and their control over the market for crude oil would have fallen by a comparable magnitude. Market competition would have eroded whatever monopoly control that Standard wielded in the petroleum industry, even in the absence of antitrust action against Standard Oil.²⁵

The Nation's Second Energy Crisis

Earlier we traced the nation's first energy crisis in whale and sperm oil used for artificial lighting during the early nineteenth century. We showed how higher prices for these fuels provided an inducement for producers to expand output and eventually to find cheaper substitutes for these fuels in petroleum refining. The twentieth century has witnessed a sequel to the nation's first energy crisis in recent decades. A rapid growth in the demand for petroleum products has resulted in higher prices and periodic shortages of supply. This more recent energy crisis has not, however, brought a response from entrepreneurs similar to that which occurred during the nation's first energy crisis. In order to explain the current energy crisis, we must understand the changes in the institutions affecting entrepreneurial behavior. The institutional framework of the American economy has changed dramatically in the twentieth century, resulting in significant changes in the role of entrepreneurial decision-making and the pace and pattern of technological change. Beginning with the antitrust decision against Standard Oil, government policies have had an increasingly pervasive impact on the allocation of energy resources.²⁶

Throughout most of the twentieth century the supply of energy more than kept pace with the demand for energy. From the standpoint of petroleum producers, the problem in the first half of the twentieth century was that the growth in supply outstripped increases in demand, resulting in lower prices for petroleum products. Despite continued efforts by private producers to establish a cartel to limit production, the industry was characterized by intense competition in which each producer attempted to lower price and expand production in order to capture a larger share of the market. The rapid growth in refining capacity and intense competition in the industry during the Great Depression led to the passage of the Petroleum Code as part of the National Industrial Recovery Act of 1933. This

code enabled petroleum producers to use the coercive powers of government to limit production and maintain higher prices in the industry. The President was given the power to control interstate and international shipments of petroleum. He could establish prices and control production, imports, and withdrawals from crude oil storage. The nation was divided into eight refining districts within which controls were established over the sale of gasoline. Refiners were permitted to withdraw from their stocks of refined products only when current output was inadequate to meet demand, but the storage of gasoline in greater quantities was outlawed as an unfair practice. The code had the desired effect, as crude oil prices increased from a range of \$0.69–\$0.75 per barrel in 1932 to about \$1 per barrel in 1933–35.²⁷

After the Second World War, government controls over the petroleum industry were removed, and the nation's energy supplies expanded. The increasing demand for energy was reflected in higher prices for natural gas and petroleum products, but the prices for these energy products actually declined relative to the general price level. This meant that the real cost of energy declined, whether we measure this relative to the cost of other goods and services or in terms of resource costs per unit of energy produced.

In the 1960s the government again intervened in the energy sector to control prices and production. In 1961 the Federal Power Commission (FPC) imposed a price ceiling in natural gas at the wellhead for interstate sales of natural gas. In the 1970s a mandatory allocation program required some petroleum companies to sell their natural gas to pipelines in other parts of the nation at controlled prices. Following the imposition of price controls, the supply of natural gas failed to keep pace with rising demand. The number of natural gas producers dropped from 18,000 in 1956 to 4,000 by 1971. As demand for natural gas outstripped supply in the nonproducing states, consumers turned to alternatives such as fuel oil, liquefied gas from Algeria, and synthetic gas. In terms of energy yield, fuel oil on the average in the 1970s sold at twice the free market price of natural gas. Some firms relocated to states that produced and sold natural gas at the unregulated price. Both of these responses, i.e., reliance on alternative energy sources and relocation in order to assure a supply of natural gas, involved inefficiency and misallocation of resources.²⁸

Without government regulation, the price of natural gas would have been driven up and supplies would have increased, displacing the more expensive substitute fuels. While interstate gas prices were regulated by the FPC, the intrastate prices fluctuated with market price. With the expansion of demand for gas, the unregulated price of natural gas in Texas increased from \$0.75 in 1972 to a high of \$2.20 in 1975. The higher price brought drilling rigs to Texas from all over the United States and Canada. In 1971, only 1,056 new wells were drilled, whereas in 1975, 2,275 new wells were completed. The expanded supply drove the price back down to \$1.76. Even at this price, natural gas was a bargain; according

to the FPC, the free market price for natural gas was 22 percent cheaper than liquefied natural gas, 31 percent cheaper than Alaskan gas, 44 percent cheaper than coal gas, and 46 percent cheaper than synthetic gas. This free market response occurred only with respect to intrastate gas, which was not regulated by the FPC; interstate gas supplied did not expand because the price set by the FPC was substantially below the free market price.²⁹

Government regulations were also imposed on the oil industry. The price of petroleum products was controlled first by jawboning in 1969 and then by mandatory controls in 1971. This period witnessed the most rapid rate of inflation since the Civil War. As the real price of oil declined, the supply of domestically produced petroleum declined and the share of petroleum imports increased. At controlled prices, the earnings of oil producers declined, and there was little incentive to invest. By the time of the oil embargo of 1973, we had only one-half as many drilling rigs in operation in the continental U.S. as we had had twenty years before. Dependence on imported petroleum approached half of our total consumption.³⁰

Although price controls on gasoline ended when the Arab embargo was lifted in 1974, the Federal Energy Agency (FEA) continued to maintain price controls on crude oil produced domestically. The price of old oil was controlled at about \$5.25 per barrel. New oil from wells put into production after November 1975, plus output from old wells that exceeded the base period output levels, was controlled at a price of about \$11 per barrel.³¹

At these controlled prices shortages emerged for domestically produced oil, and refineries relied increasingly on imported oil. Those refiners who had access to old oil had an advantage over refiners forced to pay market prices. The FEA responded with an elaborate system of entitlements and allocations among crude oil refiners. Each refiner was given a certain number of entitlements to domestic oil at controlled prices based on the total purchases of crude oil at uncontrolled prices.

The entitlements program placed a tax on domestic production of crude oil and subsidized refinery purchases of imported oil. The United States, in effect, paid a subsidy of about \$3 for every barrel of oil imported. Needless to say, this policy discouraged domestic production of petroleum. By holding petroleum prices below the market price, the entitlements program led to wasteful use of petroleum resources and discouraged the development of alternative energy sources.³²

The market has not solved the energy crisis in the twentieth century as it did in the nineteenth because the market has not been permitted to operate. Recent legislation calls for deregulation of prices of natural gas and petroleum products, but this does not mean a return to reliance on private enterprise to solve the energy problem. Private energy companies are threatened with windfall profits taxes and disfranchisement of their holdings. Regulatory controls limit exploration and expansion of production and increase the costs of producing energy products.

In short, private entrepreneurs today do not have the incentive to explore and expand production of existing energy products—and to find cheaper substitutes for energy—as they did in the nineteenth century.

The government has assumed a greater responsibility in solving the nation's current energy crisis by subsidizing private firms to develop alternative sources of energy. The U.S. Synfuels Corporation has become the vehicle for this expanded role for government in the development of alternative energy sources. The U.S. Synfuels Corporation was created by Congress in 1980 with authorization to spend \$20 billion in government funds. After three years of operation, the Synfuels Corporation made its first award of financial assistance, \$820,750, to a North Carolina peat-to-methanol project whose investors include former CIA director William Casey. It also awarded \$120 million in price guarantees to a Cool Water Coal project in California. Most recently, the corporation has signed a letter of intent with Tenneco Shale Oil Company and Occidental Oil Shale, Inc., for the development of oil shale in Colorado. The proposal calls for \$2.19 billion in guarantees, including \$1.812 billion in loan guarantees and \$378 million in price guarantees. Under the agreement, the private corporations would be guaranteed a price of \$60 per barrel over a ten-year period from 1987 to 1997.³³

The role of the government in the development of oil shale reveals the inherent failure of a government solution to the energy crisis. The guarantees between the Synfuels Corporation and private companies virtually assure that there will be no market test for an efficient allocation of resources in the development of oil shale. The Colorado project will proceed even though the market price for the final product falls below the guaranteed price. The loan guarantees assure the private corporations' access to loanable funds, even when the market interest rate on loanable funds signals that the project should not proceed. It is not clear that the subsidized corporation will advance technology, since the Colorado project will utilize a combination of processes for the production of oil shale already developed by private corporations.

After U.S. Synfuels had been in operation for three years, Senator Proxmire concluded,

The Synthetic Fuels Corporation does not meet the basic standard of our capitalist system: the freedom of incompetent management to fail. Even worse, instead of assisting technologically sound and commercially promising projects, the corporation may be about to fund companies with neither the technical resources nor financial capability to use the money effectively.³⁴

The U.S. Synfuels Corporation is forging ahead in the development of alternative energy, not because that is an efficient allocation of resources, but rather because it has a government mandate to spend \$20 billion of the taxpayers' money. Senator Armstrong has estimated that the cost of the U.S. Synfuels Corporation could run as high as \$88 billion.³⁵ Based on its track record thus far, the U.S. Synfuels Corporation promises to be the Teapot Dome scandal of our era, with far more

devastating consequences to our welfare. Despite the opposition of Senator Armstrong and others in Congress, the U.S. Synfuels Corporation continues to expand its role in the development of oil shale and other alternative fuel sources.

More important than the misallocation of resources through the U.S. Synfuels Corporation is the negative impact of government policies on the private development of oil shale. The Mineral Leasing Act of 1920 limits private development of oil shale to no more than 8 square miles (5,120 acres). Government regulations also prohibit off-tract disposal of processed shale. A recent Rand Corporation study shows that these restrictions on the size of the tract and on off-site disposal significantly reduce the efficiency of shale oil development. Permitting off-site disposal of processed shale alone could increase the percentage of shale oil recovered on private lands from less than 20 percent to more than 60 percent.³⁶

Antitrust policies have also had a negative impact on the private development of oil shale. Each developer is limited to one lease, and federal policies rule out joint processing ventures. The Rand study concludes that this combination of antitrust policies and land use policies has resulted in a fragmented industry of first-time developers. The report states, "Given the innovative processes required to produce shale oil, these developers may be unwilling to make large investments in a first of a kind plant."³⁷

It should not be surprising that some corporations have chosen not to follow through on private shale oil projects. For example, the Exxon Corporation has withdrawn from its Colony Shale Oil Project in Colorado. Private corporations face an industry in which government land policies and antitrust policies have eliminated the profit incentive of large scale innovative technology in oil shale development. They are asked to compete with a government-subsidized corporation whose price and loan guarantees protect it from competitive market pressures. Government decision-making is virtually displacing private entrepreneurship in the oil shale industry.

Some studies, such as the Rand Corporation study cited earlier, maintain that this pattern of decentralized development of oil shale may not necessarily be bad. "An industry consisting of many small projects would be more competitive than a highly centralized industry." This perception of competition in the shale oil industry is based upon the static neoclassical model of competition, a perception that underlies the antitrust and regulatory policies affecting the industry. Despite overwhelming evidence that those very policies preclude the dynamic competition required to develop oil shale efficiently, we cling to this naive view of the nature of a competitive market.

Conclusion

There is a lesson to be learned from our experience in the development of oil shale. Government decision-making cannot replace the role of the private

entrepreneur in bringing about technological change and efficient development of oil shale. Further, government policies based upon a static neoclassical model of competition introduce barriers to private entrepreneurial activity, thus inhibiting technological change and efficient development of oil shale. Before significant changes will take place in government policies, we must begin to understand competition, not in this static view but as a dynamic market process. The Austrian view of competition as a dynamic market process provides a framework for an entirely different set of government policies. The essential condition for this dynamic competition in the long run is freedom of entry. Private entrepreneurs must be free to enter the oil shale industry and to innovate new technologies and organizations. They must respond to market forces, not the government signals of price guarantees, loan guarantees, land use restrictions, and the threat of antitrust suits. In the long run, we would expect some firms to fail and some to survive this market competition. Some of the latter firms might achieve a scale that would permit them to exercise some monopoly control in the industry, and one firm could potentially exercise monopoly control over the oil shale industry comparable to that exercised by Standard Oil in the nineteenth century. To the extent that such monopoly control and the corresponding monopoly profits are a return to entrepreneurship, that is consistent with the Austrian view of competition as a dynamic market process. In the long run, we would also expect such monopoly control to be eroded as private entrepreneurs exploit market opportunities in the development of oil shale.

Many economists will respond that the inefficiencies and misallocations of resources that result from monopoly control in the short run are too great, and therefore we cannot afford to rely on dynamic competition in the long run. They maintain that we must have government intervention to limit the exercise of monopoly power in the short run. But such an argument must rest not upon some theoretical ideal of government policies to maintain a competitive market structure, but rather in the real world functioning of such government policies. We have sufficient evidence to judge these alternative approaches to government policy in the development of our energy resources. If we had applied the government policies currently in use in the shale oil industry to the petroleum industry during the early phases of its development, the outcome is clear: The development of petroleum resources would have been constrained by a fragmented industry with small inefficient producers, and there would have been little incentive for rapid technological change requiring large-scale capital-intensive methods of production. The alternative to Standard Oil and other large scale oil producers would have been a nineteenth century equivalent of the U.S. Synfuels Corporation. By now, such government bureaucracy would be as firmly entrenched in the petroleum industry as the U.S. Synfuels Corporation is in the oil shale industry. We did not introduce such a government bureaucracy, but the expanded role of government in the petroleum industry in the twentieth century has had a comparable

impact. The overwhelming evidence is that the pervasive role of government in the petroleum, natural gas, and oil shale industries has had a negative impact on the rate of technological change and the efficient development of our energy resources. This displacement of private entrepreneurship by government decision-making is not unique to the energy industry, but is ubiquitous throughout the economy. It should be no surprise that massive government intervention in recent decades has been accompanied by retardation in the rate of technological advance and a slower rate of economic growth.

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The Intergenerational Invisible Hand: A Comment on Sartorius's "Government Regulation and Intergenerational Justice"

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Introduction

In "Government Regulation and Intergenerational Justice," Rolf Sartorius argues that some government regulation is justified in order to protect the rights of the unborn.¹ More than half of his paper is a discussion of the theory that views the only justifiable function of government as the "umpirage of the law of nature." In the remainder of his paper, he argues for an extension of the theory in order to justify regulation as well as umpirage. In particular, he argues that protecting the rights of the unborn represents an especially strong case where government regulation is justified.

Sartorius's central argument is that everyone has a right to certain basic goods that are the prerequisites of leading a human life. Some of these goods are "public goods," the future provision of which is not assured in a free market regime. Since future generations have rights to these public goods, it is the duty of the current generation, through government regulation, to protect them.

Sartorius's position has a Rawlsian flavor to it,² which is not surprising until it is remembered that he claims his position to be a natural extension of standard libertarian theory. The paradox is only an apparent one, however, because Sartorius believes that the classical libertarian theorist John Locke was a closet Rawlsian. According to Sartorius (p. 184), a variant of the Rawlsian difference principle (that inequality is justified only if the position of the worst off is thereby improved) lies at the root of Locke's justification of initial property acquisition (the so-called Lockean Proviso). That is, when a certain quality of land is scarce, its initial acquisition can be justified only if those who do *not* acquire the land are made better off.

It would be easy to dispute Sartorius's introduction of the Rawlsian difference principle into libertarian theory. For instance, many libertarians argue that Locke was wrong to think that before there was private property, property was held in common. These libertarians believe that if someone acquires something that was previously unowned, no one is thereby "barred," even if there is not enough left for everyone else. Even the libertarian who believes that property was first held in common need not accept the difference principle. He might ask why the worst-off person is the one who must be made better off. Why not require that the average person be made better off or, through some chance device, that everyone have the *opportunity* to be made *much* better off? Plausible arguments can be made for each of these proposals, but I will not make them here.

In order to move on to issues that are either more interesting or easier to resolve, I will accept the introduction of the difference principle into libertarian theory and will focus on two other claims that are central to Sartorius's argument: The first is the claim that the unborn have rights; the second is the claim that under an unregulated system, important public goods would be disastrously depleted.

On the first issue, I deny Sartorius's briefly asserted claim that it is proper to attribute rights to the unborn. The problem is that attributing rights to the unborn is inconsistent with the view that the source of rights is the autonomy of the individual human being. A necessary condition for the exercise of any rights is that the agent exist. The never-existent cannot have rights. So if the unborn has any right, it has the right to be born. But then it follows that potential parents do not have the right to interfere with the birth of the unborn. Contraception would be immoral, and abortion even more strongly so. Such a view of the rights of the unborn might be defensible, perhaps from a religious perspective. But surely it is not consistent with the view, partially endorsed by Sartorius (p. 180), that the source of rights is the capacity of adults to lead autonomous lives.

The unborn do have a right to basic goods once they are born, but the claims are against their parents, not against society. Even if Sartorius is right about the difference principle, still the principle applies only to the first generation. In that generation when property is acquired, everyone has a claim to basic goods. If, afterwards, some dissipate what they have, whether through laziness, risk-taking or some other choice, then they have no claim on the rest of society. If the dissipated choose to have children, then it is the parents who have an obligation to provide the children with the basic goods. In such cases other people might wish to offer help, but the government has no right to intervene.

Even if Sartorius is correct about the rights of the unborn, to justify regulation he still needs to claim that in an unregulated society there would be a disastrous depletion of basic goods. I propose now to examine this latter claim.

Sartorius defines public goods in terms of externalities. He does not claim that the unborn have a right to all the advantages that we have—for instance he denies that the unborn have a right to the wilderness areas we now enjoy. Instead, he

limits the claims of the unborn to basic goods which understandably go unlisted but which must presumably be those items that are the necessary conditions for an autonomous life. So it is clear that for Sartorius it takes more than some alleged inefficiency to justify regulation. In the paradigmatic public goods case of "overgrazing," for example, the fact that the commons support a few less cattle than the land might support under another system is not enough.³ It would have to be shown that the "overgrazing" deprives future generations of basic goods.

The cases where regulation would be justified according to Sartorius (p. 193) are those where there is a threshold beyond which the public good will be destroyed. Sartorius uses as an example a situation in which people hunt a particular animal in such numbers that the species is reduced to the point where it can no longer reproduce itself. The scenario sounds plausible because there *are* species that have become extinct in just this way. I remember my great-grandmother telling me how the skies in Southern Indiana used to be filled with passenger pigeons, and I also remember her telling me how good passenger pigeon pie tasted. In all actual cases, however, it should be observed that the extinct species was not a basic good. People were able to lead meaningful lives after the passing of the passenger pigeon, just as they would be able to lead meaningful lives if the snail darter were to become extinct. The soundness of Sartorius's argument, then, depends not on whether a species has ever become extinct, but rather on whether under a market system a disaster threshold would ever be passed for something that was really a basic good.

My answer is a strong *no*—the disaster threshold would never be reached under an unregulated free market system.

The main area of Sartorius's concern appears to be the environment. Those who predict environmental disaster commit the common fallacy of prediction by extrapolation. In some situations extrapolation is the best we can do, but in others, and fortunately this is one of them, economics has provided us with better tools of analysis.

My argument is relatively simple. As some limited good is consumed, the price rises. As the price rises, consumption declines, production of substitutes increases, conservation (or "hoarding") of the good increases, and research into new technology increases. Thus, disaster is always averted through the incentives provided by the price mechanism.

The immediate response to my argument might be that it is irrelevant to Sartorius's position, since he is considering just those cases where the goods are not privately owned and hence where the incentives of the price system cannot operate. Such a response would be mistaken, for the same sort of argument can be applied in the Sartorius case of a public good that is also a basic good. If the public good has no adequate substitutes (as must be the case in the depletion of a good properly called "basic"), the value of the remaining units of the good would rapidly increase. At some point, the benefit of preserving the remaining

supply would exceed the costs of instituting private property in the good. In the language of economists, it would then pay to internalize the externalities. Once the good had become privately owned, the price mechanism would operate to assure that the disaster threshold would never be reached.

The theory of the evolution of property rights that I employ is not novel. It has been persuasively argued for by Harold Demsetz in his classic article on the economics of property.⁴ There he gives the specific example of the Indian tribe that used to hunt beaver without having any sort of individual territories. When the white man came, the demand for beaver pelts increased the value of beavers and led to a depletion of the supply. This in turn led to the assignment of particular areas to particular Indians, thus providing the incentive for beaver conservation.

In modern times, the depletion of a basic good could be dealt with either by extensions of common law property conceptions through the courts, or through explicit legislation.

Sartorius does briefly consider the possibility that public goods might be made private. He dismisses the possibility on the basis of one counterexample. His case is one where a migratory herd ranges over land held in common by a group of people. The herd becomes depleted, so the land is divided into private parcels. But since the herd migrated, it still is in the interests of each individual to kill as many animals as he can. So the disaster threshold is reached even though there is private property.

The problem with Sartorius's counterexample is that he has not really allowed the public good to be privately owned. The *land* has been made private, but the *animals* are still public goods. If property rights in the *animals* had been assigned, then the owner could either fence them in and provide them with food and shelter during the period when they would have migrated, or he could let them migrate and purchase easements over the property through which his animals will pass. In either case, there is no reason to believe the threshold limit would be reached (assuming, as before, that the animals were a basic good).

So far, I have presented a general argument for how the market will avoid disaster, and I have also pointed out why Sartorius's counterexample is no counterexample at all. My case, however, would be stronger if I had been a bit more specific in saying how the free market would handle specific disasters that bother environmentalists.

Predicting the future is always difficult, but it is possible to suggest the general long-run features of an unregulated free enterprise world. First, there would be stable population. As income rises in developing nations, parents eventually have smaller families. As Becker's theory of the family puts it, with rising income, parents invest more in quality and less in quantity of children.⁵ Second, there would be inexhaustible sources of energy. Fusion power is expected to be feasible by the turn of the century. The fuel source of a fusion reactor is water. Finally,

as exhaustible resources are used, their price would rise. The higher prices would, first, cause substitution in consumption toward products that do not use these resources; second, cause substitution in production toward renewable factors of production; third, make recycling more profitable; and finally, provide the incentive for technological advance.

Environmentalists today see a market failure to provide for future energy needs, just as past extrapolators saw failure in the exhaustion of whale oil for lighting and of large Canadian trees for the masts of the British fleet.⁶ The environmentalists should not be ridiculed too severely for seeing market failure where there is none. Their arguments are plausible on a common-sense level as are *most* arguments of market failure.

The invisible hand is often very difficult to see. Even those who generally defend the market have their favorite "market failures." One of Robert Nozick's is discussed in *Anarchy, State, and Utopia*.⁷ There, in a footnote (p. 315), Nozick claims that if people were able, as they may soon be, to easily select the sex of their child, they would overwhelmingly choose to have boys. The resulting imbalance would have disastrous consequences for future generations. One remedy, according to Nozick, would be to have the government require hospitals to maintain a one-to-one ratio. In reluctantly mentioning such a remedy, Nozick was unaware of a survey reported in the journal *Science*.⁸ Just as Nozick would predict, the survey showed that if couples were free to choose, they would overwhelmingly prefer their first child to be male. But, and here is the surprise, they would just as overwhelmingly want their second child to be female. When additional children are taken into account, the resulting sex ratio in society is one-to-one. In addition, allowing choice of sex would have the benefit of making it easier to find an appropriate mate. A male would be more likely to have a younger sister whose friends are of the right age for marriage, and likewise a female would be more likely have an older brother whose friends are of the right age. Thus if couples are allowed freely to choose the sex of their children, future generations will be benefited "as if by an invisible hand."

The moral of the story is that when the invisible hand is finally seen clearly, it may not be as arthritic as Sartorius believes.

Notes

1. Rolf Sartorius, "Government Regulation and Intergenerational Justice," in Tibor R. Machan and M. Bruce Johnson, eds., *Rights and Regulation* (Cambridge, Mass.: Ballinger, 1983).
2. John Rawls, *A Theory of Justice* (Cambridge: Harvard University Press, 1971).
3. Garrett Hardin, "The Tragedy of the Commons," *Science* 162 (December 13, 1968):1243-48.
4. Harold Demsetz, "Toward a Theory of Property Rights," *American Economic Review* 57 (May 1967):347-59.
5. Gary S. Becker and H. Gregg Lewis, "Interaction between Quantity and Quality of Children," in Theodore W. Schultz, ed., *Economics of the Family* (Chicago: The University of Chicago Press, 1974), pp. 81-90. See also Julian L. Simon, *The Economics of Population Growth* (Princeton, N.J.: Princeton University Press, 1977).

6. For some additional examples, see Douglas C. North and Roger LeRoy Miller, "The Economics of Energy," in *The Economics of Public Issues*, 6th ed. (New York: Harper & Row, 1983).
7. Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974).
8. Charles F. Westoff and Ronald R. Rindfuss, "Sex Preselection in the United States: Some Implications," *Science* 184 (May 10, 1974):633-36.

An Integration of *The Wealth of Nations* *The Theory of Moral Sentiments*

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Introduction

For either [France or England] to envy the internal happiness and prosperity of the other, the cultivation of its lands, the advancement of its manufactures, the increase of its commerce, the security and number of its ports and harbours, its proficiency in all the liberal arts and sciences, is surely beneath the dignity of two such great nations. These are all real improvements of the world we live in. Mankind are benefited, *human nature is ennobled by them*.¹

This paper contends that Adam Smith meant what he said; human nature is ennobled by the cultivation of its lands, the advancement of its manufactures, the increase of its commerce, etc. Since it describes the environment in which these improvements will most likely occur, *The Wealth of Nations*² provides a base for the ennobling of man's nature, which Smith discusses in *The Theory of Moral Sentiments*.

In *The Wealth of Nations*, Smith describes the political-economic framework within which individuals could prosper, both materially and morally.³ Although much has been said about the former, very little literature exists regarding the moral development of man within the environment of *The Wealth of Nations*.

Although *The Theory of Moral Sentiments* gives no concise presentation of this concept, it does contain the blocks from which it can be built. Smith's failure to join the two books in this way may have been due to his preoccupation with jurisprudence near the end of his life.⁴

In any regard, Smith discussed four ways in which capitalism "ennobles human nature." First, capitalism develops the impartial spectator (both internal and external). Second, it simultaneously develops self-command and humanity (the awful and amiable virtues). Third, Smith gives examples of how it develops virtue in man. Finally, capitalism develops a set of general rules of conduct that lead to

moral activity. This paper begins with a review of the relevant concepts from *The Wealth of Nations*, then discusses each of the four items from *The Theory of Moral Sentiments* in turn, and finishes with a brief summary.

Review of Concepts

The environment Smith proposed—capitalism—is a nonviolent, voluntary-exchange, limited-government, largely spontaneously ordered society where individuals interact within a system of natural law. Two of these laws have important implications for this paper. First, capitalism rests on a system of just property rights.⁵ Each individual has ownership rights over his person and the property he creates or transforms with his labor. In addition, the individual has the absolute right to be free from any aggression by other men. Aggression is the initiation of the use or threat of physical violence against his person or property. Second, and related, capitalism is a society of contract. One of the rights of ownership is the right to exchange. The free market system is the total of all such voluntary (and thus mutually beneficial) exchanges of alienable property titles. No individual can prevent voluntary exchanges by the use or threat of violence. In other words, no special privileges exist to create and maintain a caste system by violence.

Under capitalism, the only legitimate way for an individual to accomplish his goals is the economic means—production and exchange in accordance with the values of other individuals. The greater the value others place on an individual's activity, the greater his monetary gain. This income can then be used to induce the cooperation of others to achieve his goals. Such incentive leads to production gains, but the greatest advance in productivity comes from the division of labor allowed by the ability to exchange.

The division of labor proceeds according to each individual's relative productivity in various occupations. Free exchange induces this result, as individuals earn higher incomes where they are the most productive to others. Yet, with everyone specializing in particular tasks, how will they be coordinated? Individuals with comparative advantages (capitalists) will specialize in coordinating supply to demand. To prosper they must allocate resources to coincide with the values all individuals place on their service. Thus, under capitalism, not only is wealth created but, once in existence, it is channeled into highly valued activities.

The environment Smith opposed—mercantilism—is a society of status. All men are not extended equal rights according to the natural law. States use aggressive violence to create a superhuman caste (those with superior rights) at the expense of the subhuman caste (those with inferior rights). The former gain wealth by the political means—the use of violence. Competition to gain status with those who control the state places wealth in the hands of men with comparative advantage, not in serving others but in exploiting them. In addition, such a system stunts productivity by eliminating incentives to engaged in productive competition and by inhibiting—through the establishment of castes—the division of labor.⁶

These conclusions regarding man's material growth have been extensively explored. The next four sections contrast Smith's view of the moral development of man under these two alternative systems.

The Development of Impartial Spectators

Adam Smith believed that nature gave man not only self-love but fellow-feeling for others.⁷ The latter Smith called sympathy. "Sympathy . . . may now be made use of to denote our fellow-feeling with any passion whatever."⁸ This sympathy has two versions: immediate and imaginative. Immediate sympathy is "transfused from one man to another, instantaneously, and antecedent to any knowledge of what excited them in the person principally concerned."⁹ Imaginative sympathy arises "from the situation which excites it" as "we put ourselves in his case."¹⁰ When an onlooker mentally switches roles with the person he is observing, his feeling must develop through imagination, since this spectator can feel something the actor does not seem to feel. For example, through the illusion of imagination "arises the dread of death . . . the great restraint upon the injustice of mankind."¹¹

It is important for Smith's theory that sympathy has its greatest intensity when it is mutual. "Nothing pleases us more than to observe in other men a fellow-feeling with all the emotions of our own breast; nor are we ever so much shocked as by the appearance of the contrary."¹² This mutual sympathy forms bonds between individuals that hold society together. It develops through role switching and the sentiment of approbation that follows.

We approve of another's reaction to his circumstance if that reaction is not excessive, as judged by what we imagine our reaction would be in similar circumstance. This approbation is "ultimately founded upon a sympathy."¹³

To approve of the passions of another as suitable to their objects, is the same thing as to observe that we entirely sympathize with them; and not to approve of them as such, is the same thing as to observe that we do not entirely sympathize with them.¹⁴

Smith continues to develop the function of sympathy in society by noting that

The sentiment or affection of the heart from which any action proceeds, and upon which its whole virtue or vice must ultimately depend, may be considered under two different aspects . . . first, in relation to the cause which excites it, or the motive which gives occasion to it; and secondly, in relation to the end which it proposes, or the effect which it tends to produce.¹⁵

In the proportion or disproportion which the affection seems to bear to the cause or object which excites it, consists the propriety or impropriety . . . of the consequent action. In the beneficial or hurtful nature of the effects which the affection aims at, or tends to produce, consists the merit or demerit of the action.¹⁶

When we judge in this manner of any affection . . . it is scarce possible that we should make use of any other rule or canon but the correspondent affection in ourselves.¹⁷

We may judge of the propriety or impropriety of the sentiments of another person by their correspondence or disagreement with our own, upon two different occasions; either, first, when the objects which excite them are considered without any peculiar relation, either to ourselves or to the person whose sentiments we judge of; or, secondly, when they are considered as peculiarly affecting one or other of us.¹⁸

Regarding these last items, which personally affect us, Smith says,

But if you have either no fellow-feeling for the misfortunes I have met with, or none that bears any proportion to the grief which distracts me; or if you have either no indignation at the injuries I have suffered, or none that bears any proportion to the resentment which transports me, we can no longer converse upon these subjects. We become intolerable to one another.¹⁹

Thus, society requires the (even if imperfect) coincidence of sentiments between spectator and actor. Smith outlines the process by which this happens.

“The spectator must, first of all, endeavour, as much as he can, to put himself in the situation of the other, and to bring home to himself every little circumstance of distress which can possibly occur to the sufferer. And strive to render as perfect as possible, that imaginary change of situation upon which his sympathy is founded.”²⁰ After all this, the spectators “though naturally sympathetic, never conceive, for what has befallen another, that degree of passion which naturally animates the person principally concerned.”²¹ Yet, the person principally concerned “longs for that relief which nothing can afford him but the entire concord of the affections of the spectators with his own. But he can only hope to obtain this by lowering his passion to that pitch, in which the spectators are capable of going along with.”²² The sentiments (through this process) of the principal actor and that of the spectator

have such a correspondence with one another, as is sufficient for the harmony of society. In order to produce this concord, as nature teaches the spectators to assume the circumstances of the person principally concerned, so she teaches this last in some measure to assume those of the spectator. As their sympathy makes them look at it, in some measure, with his eyes, so his sympathy makes him look at it, in some measure, with theirs, especially when in their presence and acting under their observation: and as the reflected passion, which he thus conceives, is much weaker than the original one, it necessarily abates the violence of what he felt before he came into their presence . . . and [enables him] to view his situation in this candid and impartial light.²³

The role in society of the sympathy so created is to allow men to live together in harmony. The society that men establish, in turn, helps them. “Society and conversation, therefore, are the most powerful remedies for restoring the mind

to its tranquility, if, at any time, it has unfortunately lost it; as well as the best preservatives of that equal and happy temper, which is so necessary to self-satisfaction and enjoyment.”²⁴

The political-economic system of capitalism described in *The Wealth of Nations* tends to create both an internal and external impartial spectator. The former is brought about by the vast amounts of role switching (of the type that creates coincidence of sentiments between individuals) due to the almost infinite interdependence of individuals in a system of markets. Each participant in every exchange must gain the voluntary cooperation of the other party. By role switching, each individual comes to understand the viewpoint of other parties and thus how to induce them to trade. If, initially, the buyer bids a price less than the price the seller offers, they bargain until a coincidence is reached. The result of this moderation is a working market system of interaction—analogue with Smith’s moderating of sentiments producing a society. Capitalism provides a fertile ground for development of the internal impartial spectator.

In contrast, mercantilism is not conducive to the formation of this spectator. The wielder of violence has little incentive to switch roles with his victim. In his turn, the victim comes not to understand but to resent his master.

The external impartial spectator represents the sum of all other participants’ evaluation of an actor’s activity. These evaluations consist of bids and offers in prices freely made in voluntary trades. The sum of these—the market price—represents an impartial evaluation made by all participants of the actor’s market activity. In mercantilism, the hampering of trades in the market by violence distorts this evaluation. Hence, no external impartial spectator can develop.

In capitalism, both the internal and external spectators tend to be impartial as opposed to partial. Those who show favoritism in the market get outbid by those who measure an activity’s value more accurately. For Smith, it is essential that the environment (in which a spectator emerges) generate an impartial spectator.

The propriety of our moral sentiments is never so apt to be corrupted, as when the indulgent and partial spectator is at hand, while the indifferent and impartial one is at a great distance.²⁵

This self-deceit, this fatal weakness of mankind, is the source of half the disorders of human life. If we saw ourselves in the light in which others see us, or in which they would see us if they knew all, a reformation would generally be unavoidable. We could not otherwise endure the sight.²⁶

In a market system, each of our actions is judged by several other market participants. In this way, an external impartial spectator always exists to temper our conduct. Smith claims that no innate, internal, moral sense exists. Only the impartial spectator can accomplish this task. The internal “man within the breast” develops only a hospitable environment—a society of contract.

In contrast, within a society of status—the mercantilism of Smith’s day—favoritism is the norm. The most harmful result of mercantilism in Smith’s view

was the moral, and productive, degeneration of the owners of wealth. Smith makes numerous reference to the social benefits of transferring wealth from an unproductive, immoral privileged caste to capitalists.²⁷ Because the latter must continually please others, they become both productive and moral.

The Development of Self-Command and Humanity

As well as holding society together by creating an impartial spectator, this dual role-switching forms the basis for "two different sets of virtues."²⁸ First, the amiable virtues such as humanity and condescension. Second, the awful "virtues of self-denial, of self-government, of that command of the passions which subjects all the movements of our nature to what our own dignity and honour, and the propriety of our own conduct require."²⁹ By creating an impartial spectator, role-switching develops these virtues in man and leads finally to the perfection of human nature.

And hence it is, that to feel much for others and little for ourselves, that to restrain our selfish, and to indulge our benevolent affections, constitutes the perfection of human nature; and can alone produce among mankind that harmony of sentiments and passions in which consists their whole grace and propriety. As to love our neighbour as we love ourselves is the great law of Christianity, so it is the great precept of nature. . . .³⁰

For Smith this perfection of human nature (indeed the development of every virtue) requires practicing role switching: "that great discipline which Nature has established for the acquisition of this and of every other virtue; a regard to the sentiments of the real or supposed spectator of our conduct."³¹

Smith illustrates the development of the impartial spectator within the family; he then proceeds to its role within capitalism.

[The situation of brothers and sisters] renders their mutual sympathy of the utmost importance to their common happiness; and, by the wisdom of nature, the same situation, *by obliging them to accommodate to one another*, renders that sympathy more habitual, and thereby more lively, more distinct, and more determinate.³²

In a free market system, every exchange is one of mutual accommodation, just as it is in a family, and thus strengthens sympathy.

Among well-disposed people, the necessity or convenience of mutual accommodation, very frequently produces a friendship not unlike that which takes place among those who are born to live in the same family. Colleagues in office, partners in trade, call one another brothers; and frequently feel towards one another as if they really were so.³³

This natural disposition to accommodate and to assimilate, as much as we can, our own sentiments, principles, and feelings, to those which we see fixed and rooted in the persons whom we are obliged to live and converse a great

deal with, is the cause of the contagious effects of both good and bad company. The man who associates chiefly with the wise and virtuous, though he may not himself become either wise or virtuous, cannot help conceiving a certain respect at least for wisdom and virtue; and the man who associates chiefly with the profligate and the dissolute, though he may not himself become profligate and dissolute, must soon lose, at least, all his original abhorrence of profligacy and dissolution of manners.³⁴

Smith proceeds to describe how a child matures by gaining self-command through the use of role switching. The child learns to moderate his behavior only when exposed to a particular environment. In Smith's words when he is "old enough to go to school, or to mix with [his] equals."³⁵ He "naturally wishes to gain their favour, and to avoid their hatred . . . and [he] soon finds that [he] can do so in no other way than by moderating . . . all [his] passions, to the degree which [his] play-fellows and companions are likely to be pleased with."³⁶

Thus, the virtues a person develops depend upon the environment in which role switching occurs.

The different situations of different ages and countries are apt, in the same manner, to give different characters to the generality of those who live in them, and their sentiments concerning the particular degree of each quality, that is either blamable or praise-worthy, vary, according to that degree which is usual in their own country, and in their own times. Every age and country look upon that degree of each quality, which is commonly to be met with in those who are esteemed among themselves, as the golden mean of that particular talent or virtue. And as this varies, according as their different circumstances render different qualities more or less habitual to them, their sentiments concerning the exact propriety of character and behaviour vary accordingly.

Among civilized nations, the virtues which are founded upon humanity, are more cultivated than those which are founded upon self-denial and the command of the passions. Among rude and barbarous nations, it is quite otherwise, the virtues of self-denial are more cultivated than those of humanity. The general security and happiness which prevail in ages of civility and politeness, afford little exercise to the contempt of danger, to patience, in enduring labour, hunger, and pain. Poverty may easily be avoided, and the contempt of it therefore almost ceases to be a virtue. The abstinence from pleasure becomes less necessary, and the mind is more at liberty to unbend itself, and to indulge its natural inclinations in all those particular respects.³⁷

For Smith, a particular environment is necessary for man to develop each type of virtue. Within this environment, he becomes perfected by observing others and practicing sympathy.

The wise and just man who has been thoroughly bred in the great school of self-command, *in the bustle and business of the world* . . . maintains this control of his passive feelings upon all occasions. He has never dared to forget for one moment the judgment which the impartial spectator would pass upon

his sentiments and conduct. He has been in the *constant practice*, and, indeed, under the constant necessity, of modelling, or of endeavouring to model, not only his outward conduct and behaviour, but, as much as he can, even his inward sentiments and feelings, according to those of this awful and respectable judge.³⁸

Man becomes wise and just in the environment of business as he practices using sympathy to judge his behavior. It is this environment that Smith describes in *The Wealth Of Nations*. Smith continues this line of reasoning as he describes the man of perfect virtue.

Is he who joins, to the most perfect command of his own original and selfish feelings, the most exquisite sensibility both to the original and sympathetic feelings of others. The person best fitted by nature for acquiring the former of those two sets of virtues, is likewise best fitted for acquiring the latter. He has the disposition which fits him for acquiring the most perfect self-command; but he [may have] never had the opportunity for acquiring it. Exercise and practice have been wanting; and without these no habit can ever been tolerably established. Hardships, dangers, injuries, misfortunes, are the only masters under whom we can learn the exercise of this virtue.³⁹

Capitalism provides the environment necessary for development of this virtue. It is unique to capitalism, as an economic system, that an individual can further his goals only by furthering the goals of others. Each exchange in the system of free voluntary markets gives benefit to both parties. Thus, an individual can simultaneously be under the constant pressure of competition to practice self-command and be humanitarian. Yet, neither type of virtue develops in mercantilism. The privileged caste, not subject to competitive pressures, cannot develop self-command. Men who can use violence to achieve their goals are unlikely to become humane. For Smith, different environments create in men different morals.

The situations in which the gentle virtue of humanity can be most happily cultivated, are by no means the same with those which are best fitted for forming the austere virtue of self-command. Under the boisterous and stormy sky of war and faction, of public tumult and confusion, the sturdy severity of self-command prospers the most, and can be the most successfully cultivated. But, in such situations, the strongest suggestions of humanity must frequently be stifled or neglected; and every such neglect necessarily tends to weaken the principle of humanity. [The soldier] is too apt to learn to make light of the misfortunes which he is so often under the necessity of occasioning; and the situations which call forth the noblest exertions of self-command, by imposing the necessity of violating sometimes the property, and sometimes the life of our neighbour, always tend to diminish, and too often to extinguish altogether, that sacred regard to both, which is the foundation of justice and humanity. It is upon this account, that we so frequently find in the world men of great humanity who have little self-command . . . and, on the contrary, men of the most perfect self-command . . . who . . . seem to be hardened against all sense either of justice or humanity.⁴⁰

For Smith, the most important class of people affected by the environment are the holders of wealth. Mercantilism, by giving protected status to landlords and merchants, cannot induce them to develop the two types of virtue. Yet, in capitalism, capitalists must develop self-command to survive the competition in the market. Simultaneously, their acts of saving and investment have vastly improved the lives of common men. Only in capitalism can the perfectly virtuous man develop. The next section discusses this development process.

The Development of Virtue

The qualities most useful to ourselves are, first of all, superior reason and understanding, by which we are capable of discerning the remote consequences of all our actions, and of foreseeing the advantage or detriment which is likely to result from them: and secondly, self-command, by which we are enabled to abstain from present pleasure or to endure present pain, in order to obtain a greater pleasure or to avoid a greater pain in some future time. In the union of these two qualities consists the virtue of prudence, of all the virtues that which is most useful to the individual.⁴¹

To prosper in capitalism, an individual must combine superior reason with self-command. Furthermore, an individual must become prudent to gain other virtues.

Though it is in order to supply the necessities and conveniences of the body, that the advantages of external fortune are originally recommended to us, yet we cannot live long in the world without perceiving that the respect of our equals, our credit and rank in the society we live in, depend very much upon the degree in which we possess, or are supposed to possess, those [external fortunes]. The desire of becoming the proper objects of this respect . . . is, perhaps, the strongest of all our desires, and our anxiety to obtain the advantages of fortune is accordingly much more excited and irritated by this desire. . . .⁴²

The care of the health, of the fortune, of the rank and reputation of the individual, the objects upon which his comfort and happiness in this life are supposed principally to depend, is considered as the proper business of that virtue which is commonly called prudence.⁴³

By being the object of approbation, prudence leads to higher virtues. "In the steadiness of his industry and frugality . . . the prudent man is always both supported and rewarded by the entire approbation of the impartial spectator, and of the representative of the impartial spectator, the man within the beast."⁴⁴ In addition, "the man who lives within his income, is naturally contented with his situation, which . . . is growing better and better every day."⁴⁵ Even though "prudence . . . when directed merely to the care of the health, of the fortune, and of the rank and reputation . . . never is considered as one, either of the most endearing, or of the most ennobling of the virtues,"⁴⁶ yet "when directed to greater and nobler purposes,"⁴⁷ it becomes superior prudence.

This superior prudence, when carried to the highest degree of perfection, necessarily supposes the art, the talent, and the habit or disposition of acting with the most perfect propriety in every possible circumstance and situation. It necessarily supposes the utmost perfection of all the intellectual and of all the moral virtues. It is the best head joined to the best heart. It is the most perfect wisdom combined with the most perfect virtue.⁴⁸

Just as “war is the great school for both acquiring and exercising this species of magnanimity,”⁴⁹ free markets are the great developing ground for prudence. In contrast, prudence is not the method of prospering in mercantilism. Wealth accrues to those who gain the favor of the state—a boon for which attributes other than prudence are required. Since prudence does not develop, neither can higher virtue (i.e., superior prudence).

Dealing with the virtue of benevolence and its development in man, Smith states,

Of all the persons, however, whom nature points out for our peculiar beneficence, there are none to whom it seems more properly directed than to those whose beneficence we have ourselves already experienced. Nature, which formed men for that mutual kindness, so necessary for their happiness, renders every man the peculiar object of kindness, to the persons to whom he himself has been kind. Though their gratitude should not always correspond to his beneficence, yet the sense of his merit, the sympathetic gratitude of the impartial spectator, will always correspond to it.⁵⁰

Since mutual advantage (kindness) is shown in every free market trade, capitalism tends to spread beneficence. Yet, the superior-inferior relationships of mercantilism lack mutual kindness. Such relationships will not gain the approbation of the impartial spectator, and thus individuals will not develop beneficence.

After the persons who are recommended to our beneficence, either by their connection with ourselves, by their personal qualities, or by their past services, come those who are pointed out . . . by their extraordinary situation; the greatly fortunate and greatly unfortunate, the rich and the powerful, the poor and the wretched. . . . The peace and order of society [is], in a great measure, founded upon the respect which we naturally conceive for the former. This fascination [for the rich], indeed, is so powerful, that the rich and the great are too often preferred to the wise and virtuous. Nature has wisely judged that . . . the peace and order of society, would rest more securely upon the plain and palpable difference of birth and fortune, than upon the invisible and often uncertain difference of wisdom and virtue.⁵¹

In a market system, the rich and powerful (the capitalists) tend to be the prudent and productive. That is, they tend to be those who are developing virtue. Thus, by imitating virtuous individuals, the masses tend to become more virtuous.

“By this admiration of success we are taught to submit more easily to those superiors, whom the course of human affairs may assign to us.”⁵² In capitalism, success is gained by the productive, through cooperation with and aid of others.

The peace and order of society corresponds to an environment where virtue develops.

In mercantilism, the rich and powerful are those who can violently protect their special privilege. Since they will not be virtuous, the masses, when imitating them, will not become virtuous.

The next section extends this theme of imitation to the development of a set of general rules in society.

Development of General Rules

The coarse clay of which the bulk of mankind are formed, cannot be wrought up to . . . perfection. There is scarce any man, however, who by discipline, education, and example, may not be so impressed with a regard to general rules, as to act upon almost every occasion with tolerable decency, and through the whole of his life to avoid any considerable degree of blame. Without this sacred regard to general rules, there is no man whose conduct can be much depended upon. It is this which constitutes the most essential difference between a man of principle and honour and a worthless fellow.⁵³

For Smith, most men cannot develop an impartial spectator through self-command and role switching. 'They are too swayed by self-love.

Nature, however, has not left this weakness, which is of so much importance, altogether without a remedy; nor has she abandoned us entirely to the delusions of self-love. Our continual observations upon the conduct of others, insensibly lead us to form to ourselves certain general rules concerning what is fit and proper either to be done or to be avoided. It is thus that the general rules of morality are formed. They are ultimately founded upon experience of what, in particular instances, our moral faculties, our natural sense of merit and propriety, approve, or disapprove of. We do not originally approve or condemn particular actions; because, upon examination, they appear to be agreeable or inconsistent with a certain general rule. The general rule, on the contrary, is formed, by finding from experience, that all actions of a certain kind, or circumstanced in a certain manner, are approved or disapproved of.⁵⁴

Those general rules of conduct, when they have been fixed in our mind by habitual reflection, are of great use in correcting the misrepresentations of self-love concerning what is fit and proper to be done in our particular situation.⁵⁵

The regard to those general rules of conduct, is what is properly called a sense of duty, a principle of the greatest consequence in human life, and the only principle by which the bulk of mankind are capable of directing their actions.⁵⁶

In capitalism those whose conduct is most observed (capitalists) act virtuously. By following virtuous examples, the general rules developed in a free market system lead most men to act properly. The general rules of mercantilism will be founded on the behavior necessary to gain access to and use violence. Most men will not act virtuously in such an environment.

In addition, the market links virtue with reward and thus brings man's sentiments in line with nature's course.

If we consider the general rules by which external prosperity and adversity are commonly distributed in this life, we shall find, that notwithstanding the disorder in which all things appear to be in this world, yet even here every virtue naturally meets with its proper reward, with the recompense which is most fit to encourage and promote it. What is the reward most proper for encouraging industry, prudence, and circumspection? Wealth and external honours are their proper recompense, and the recompense which they can seldom fail of acquiring. What reward is most proper for promoting the practice of truth, justice, and humanity? The confidence, the esteem, and love of those we live with. Humanity does not desire to be great, but to be beloved.⁵⁷

But though the general rules by which prosperity and adversity are commonly distributed, when considered in this cool and philosophical light, appear to be perfectly suited to the situation of mankind in this life, yet they are by no means suited to some of our natural sentiments. Our natural love and admiration for some virtues is such, that we should wish to bestow on them all sorts of honours and rewards, even those which we must acknowledge to be the proper recompenses of other qualities, with which those virtues are not always accompanied.⁵⁸

The harmony of nature and man becomes more complete in a society of contract. To prosper, capitalists must be prudent. When applying prudence to higher ends, capitalists develop higher virtues. The reward of wealth that naturally goes to the prudent will go the virtuous as well. And others who cannot acquire virtue will follow virtuous examples of these entrepreneurs. In contrast, the society of status does not reward prudence. The greatest wealth goes to those who best manipulate the coercive power of the political system. Man's course will diverge from that of nature.

Conclusions

This paper has constructed an integration between Smith's two works on four pillars: the development of (1) impartial spectators, (2) self-command and humanity simultaneously, (3) virtues, and (4) general rules of conduct. When joined in this way, capitalism is the environment that prompts the prosperity of man's material and moral statures. Furthermore, this completes Smith's system. The *Wealth of Nations* contains his political ethics and *Moral Sentiments* constructs his views on personal ethics; integrating the two books reveals a real world environment for achieving his ethical goals.

Notes

1. Adam Smith, *The Theory of Moral Sentiments*, Glasgow Edition (Indianapolis: Liberty Classics, 1982), p. 229.

2. Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. Edward Cannan (New York: Random House, 1937).
3. For example, see Nathan Rosenberg, "Some Institutional Aspects of the Wealth of Nations," *Journal of Political Economy* 68 (1960):557–70.
4. Smith, *Moral Sentiments*, Advertisement.
5. For discussion of property rights, see John Locke, *An Essay Concerning the True Original, Extent and End of Civil Government*, in E. Barker, ed., *Social Contract* (New York: Oxford University Press, 1948), pp. 17–18; or Murray Rothbard, *For a New Liberty* (New York: Macmillan, 1978), pp. 23–24.
6. Smith, *Wealth of Nations*. For the economic impact of mercantilism, see pp. 398–446. Also of interest is his discussion of new colonies, pp. 523–56.
7. Smith, *Moral Sentiments*, p. 9.
8. *Ibid.*, p. 10.
9. *Ibid.*, p. 11.
10. *Ibid.*, p. 12.
11. *Ibid.*, p. 13.
12. *Ibid.*
13. *Ibid.*, p. 17.
14. *Ibid.*, p. 16.
15. *Ibid.*, p. 18.
16. *Ibid.*
17. *Ibid.*
18. *Ibid.*, p. 19.
19. *Ibid.*, p. 21.
20. *Ibid.*
21. *Ibid.*
22. *Ibid.*, p. 22.
23. *Ibid.*
24. *Ibid.*, p. 23.
25. *Ibid.*, p. 154.
26. *Ibid.*, pp. 158–59.
27. Smith, *Wealth of Nations*: pp. 247–50, 314–32, 363–64.
28. Smith, *Moral Sentiments*, p. 23.
29. *Ibid.*
30. *Ibid.*, p. 25.
31. *Ibid.*, p. 145.
32. *Ibid.*, p. 220. (Emphasis added.)
33. *Ibid.*, pp. 223–24.
34. *Ibid.*, p. 224.
35. *Ibid.*, p. 145.
36. *Ibid.*
37. *Ibid.*, pp. 204–5.
38. *Ibid.*, p. 146. (Emphasis added.)
39. *Ibid.*, pp. 152–53.
40. *Ibid.*, p. 153.
41. *Ibid.*, p. 189.
42. *Ibid.*, pp. 212–13.
43. *Ibid.*, p. 213.
44. *Ibid.*, p. 215.
45. *Ibid.*
46. *Ibid.*, p. 216.
47. *Ibid.*
48. *Ibid.*
49. *Ibid.*, p. 239.
50. *Ibid.*, p. 225.

51. Ibid., pp. 225–26.
52. Ibid., p. 253.
53. Ibid., pp. 162–63.
54. Ibid., p. 159.
55. Ibid., p. 160.
56. Ibid., pp. 161–62.
57. Ibid., p. 166.
58. Ibid., p. 167.

Free Thought and Free Trade: The Analogy Between Scientific and Entrepreneurial Discovery Processes

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I. The Market Order as an “End-Independent” System

To state with precision and force the economic and moral imperative of the free market has been of the utmost concern to some of civilization's foremost thinkers. From the early writings of the classical political economists and moral philosophers, to the most recent works of modern authors, the combined effect of these intellectual efforts has been the development of an argument displaying increased clarity, urgency, and polarization of theme.

Today, a defense of the open society finds its ultimate foundations based upon neither the vast material prosperity the market generates for members of society nor the many richly diverse moral and cultural institutions created under the tolerant liberty of the rule of law. Rather, its defense rests upon the very process by which these highly valued events were permitted to emerge.

To those who would defend the economic and moral necessity of the spontaneous order, it has become increasingly apparent that a precise, enduring account of the nature of its value cannot be made contingent upon an arbitrarily chosen handful of material or institutional outcomes precipitated by it. It has instead become clear that the market's significance must lie *beyond* these ever changing “particulars,” that its efficiency and power must be attributable to some universal quality intrinsic and eternal to its operation through time.

II. Competition as the Engine of the Free Economy

For the individual who finds himself placed almost as if by accident in the wake—*and as waker*—of the explosive evolution of the catallaxy, there can be only one distant feature that can meaningfully be described as its essential and timeless

advantage. This unique asset represents the axiological hallmark of the free economy, and will at once be recognized as such by all who acknowledge the existence of a philosophical correlation between freedom and justice.

The prosperity generated by a free society must ultimately be traced to the market process *itself*. Competition, that necessary and essential method of valuational trial and error or “conjecture and refutation”¹ via the mechanism of profit and loss, is the greatest attribute of the free economy. Competition, the rivalrous struggle for excellence and improvement in the marketplace, is the only process by which the *subjective* significance of privately valued particulars can be rendered *objective* knowledge to individual producers. It is only under a regime of free trade that every decision made for the “good” or “needs” of others can be objectively *tested*, through the attempt—voluntarily—to trade the products of self-effort with others at an agreed-upon price.

The “efficiency” of the free economy, then, is displayed not in one of the many “outcomes”—the diverse array of economic goods and services—its operation generates, but in the power of the very process through which these valued outcomes are discovered and created. It does not refer to a discrete “state of the world” or a point on a “production possibility frontier,” but rather to the essential process of competition, a process generating a continuous sequence of *ever-improving* economic states over time. The essence of the market order is found in that “dynamism and progressivism inherent in capitalism and free enterprise.”² Its virtue is embodied not in a particular “stock” of concrete results, but in a general “flow”—the constant flow of entrepreneurial discoveries spontaneously generated under institutions protecting the right to private property and to contract. The importance of free trade in free markets is displayed not in a final attainment of market equilibrium, but in the process of competitive *evolution*; not in the achievement of Pareto optimality, but in the forces of economic progress.

III. The Analogy Between Market and Scientific Discovery Processes

The dynamic process of free competition, through which all economic improvements are objectively discovered,³ is that procedure in the realm of human choice and action which corresponds to the method of *scientific* discovery⁴ in the domain of human thought and knowledge. The market method may be viewed as analogous to the scientific method. Entrepreneurs form conjectures about consumer wants, and submit these value theories to the test of profit and loss in the same manner in which scientists studying the physical universe formulate and test their hypotheses about the natural world.

The technical similarity between the logic of scientific discovery and the logic of entrepreneurial discovery suggests that there may exist a similar argument for supporting the two methods. Just as the classical liberal defends the importance of the free economy on the grounds that it provides us with the *only* means of

generating impartial and objective knowledge of the relative worths of different entrepreneurial conjectures, so too is the individual scientist compelled to value the scientific method for its unique quality of producing certain, demonstrable knowledge of the relative worths of competing scientific theories. The greatest strength of either system ultimately lies in the *procedure* followed by all. Particular outcomes or theories in both scientific and entrepreneurial realms come to be regarded as significant, efficient, or valuable only in light of the fact that they were fairly won in accordance with the rules of the game⁵ embodied in the method of competitive trial and error.

For both the scientific and market community, then, the guiding principle or rule behind the process of discovery is the *same*: “A ‘fair’ result is a *tested* result.” Or, as Jacob Bronowski stated it, “We OUGHT to act in such a way that what IS true can be verified to be so.”⁶ This is the principle of equal justice, the principle underlying the entrepreneurial discovery process of competition.

IV. Economic Indeterminacy as the Essential Problem of Central Planning

For both the scientist and the classical liberal, the most highly valued process is that essential mechanism by which our knowledge of the internal (or subjective) and external (physical) worlds, respectively, is increased. The least-preferred system must therefore be embodied in those institutions which would suppress or deny this method of knowledge-attainment, systems which instead produce dogma and demagoguery which discourage the systematic search for epistemic or entrepreneurial truth, and which arbitrarily *dictate* what scientific and economic truth shall be.

The dilemma of the closed society revolves not simply around its inefficiency, lack of prosperity, or failure to industrialize. It is founded on a problem much more fundamental than any of these. The inherent weakness of socialism ultimately lies in its lack of a procedure by which to *test* the economic validity of various programs and plans its rulers might devise for society. Without the impartial test provided through free exchange in the marketplace, an objective measure of the relative values various goods and services hold for others in society is *impossible*. The very use of the term “value” to describe what amount to *untested* entrepreneurial conjectures put into practice by authoritarian regimes is essentially meaningless. The dilemma of the bureaucratized society is a dilemma of *indeterminacy*. A world in which economic plans for satisfying social needs fail to be submitted to the unique and irreplaceable social test of competition is a world in which all such plans must be viewed as equally valuable—or, valueless⁷—to us. This is what Mises meant by the “planned *chaos*”⁸ of socialism. And it is this economic indeterminacy which represents the central problem of the command society.

V. Conclusion: Free Thought and Free Action as the Actualization of Human Potential

Neither economic nor scientific progress can continue for very long if the many individuals who are sustained by its many material benefits fail to value the competitive *process* of "conjecture and refutation" *above* any of the numerous concrete rewards resulting from it. In both scientific and entrepreneurial realms, the highest good manifests itself in that vital and dynamic discovery process by which human progress is made. The argument for *both* free scientific and entrepreneurial inquiry is the same; he who admits the validity of one cannot deny it to the other. What Jacob Bronowski once said of the scientific discovery process holds with equal force for that competitive discovery process that is the market order:

"Science is not a mechanism but a human progress, and not a set of findings but the search for them. . . . Science at last respects the scientist more than his theories; for by its nature it must prize the search above the discovery, and the thinking (and with it the thinker) above the thought. In the society of scientists each man, by the process of exploring for the truth, has earned a dignity more profound than his doctrine."⁹

Notes

1. Karl R. Popper, *Conjectures and Refutations: The Growth of Scientific Knowledge* (New York: Harper & Row, 1963).
2. Ludwig von Mises, *Bureaucracy* (New Haven: Yale University Press), p. 13.
3. F. A. Hayek, "Competition as a Discovery Procedure," *New Studies in Philosophy, Politics, Economics and the History of Ideas* (Chicago: University of Chicago Press, 1978), pp. 179-90.
4. Karl Popper, *The Logic of Scientific Discovery* (New York: Basic Books, 1959).
5. F. A. Hayek, *Law, Legislation and Liberty*, vols. 1-3 (Chicago: University of Chicago Press, 1973, 1978, 1979).
6. Jacob Bronowski, *Science and Human Values*, rev. ed. (New York: Harper & Row, 1965), p. 58, emphasis in the original.
7. Either term is equally appropriate here, in such an indeterminate world.
8. Ludwig von Mises, *Socialism, An Economic and Sociological Analysis* (London: Jonathan Cape, 1951).
9. Bronowski, *Science and Human Values*, pp. 63, 64.

“All Mankind Is One”: The Libertarian Tradition In Sixteenth Century Spain

by Carl Watner

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It would probably be looked upon as unusual to associate sixteenth century Spain with the libertarian tradition. However, during that time there arose a school of natural law thinkers and activists who espoused a universal ethic of freedom, which they saw as applicable to all mankind. Sixteenth century Spain was the golden age of Spanish culture and humanism. Unlike other European countries of that age, the Spaniards were vitally concerned with the moral problems of conquest, conversion, and the government of heathen peoples.¹ What constituted justice and how it could be achieved were everywhere concerns of the Spanish theologians, jurists, and statesmen. To these Spaniards, the basis for the just title by which they ruled the Indies was a palpable question through much of the sixteenth century.² Although the Spanish natural law thinkers never truly broke outside the feudal-statist mentality of their culture to become anarchists, they did elaborate a doctrine of natural rights based on both divine and human reasoning. In a very broad way, and using very typical libertarian logic, they elucidated a proprietary theory of justice by which they denounced the violent invasion and conquest of the New World and supported the rights of the native inhabitants. This was one of the greatest attempts the world has ever seen to make natural law precepts prevail in relations between peoples. Such was the Spanish concern for justice in its colonizing efforts, that its monarchs organized several major inquiries into the methods used to extend their empire. Spain is probably one of the few nations that, after having searched its “royal” conscience in light of natural law and Christian teachings, ever revised its colonial policy in order to correct and punish abuses.³

Within the context of the libertarian tradition, natural law is an ethic that is applicable to all mankind. When libertarians think of freedom, they think in terms of all men, women, and children being free from the coercive interference of other persons.⁴ Libertarians extend freedom to everyone. “All mankind is one”—in the

libertarian sense that all people have individual rights, regardless of their age, sex, religion, geographical location or other particulars.⁵ Such rights are derived from the fact of their bodily existence, which implies the existence of a self-ownership and homesteading axiom. The vitality and brilliance of the sixteenth century Spanish jurists was that they were objective and logical enough to apply these principles to the Indians of the New World, even when it meant going against the vested interests of the Spanish Crown. They could have become apologists for government intervention, justifying enslavement, forced labor, and illegitimate property titles in the land violently wrested from the Indians. Well-known European advocates, such as Ginés de Sepúlveda and other Spanish imperialists, actually defended the Conquest. Yet others, such as Francisco de Vitoria, Domingo de Soto, and Bartolomé de las Casas, fought for and established the rights of the natives on the basis of their having a common human nature with Europeans. These men displayed a keen insight into the essentials of justice and right, based on the scholastic writings of earlier centuries.⁶ Without exception, all the Spanish theological-jurists "defended the doctrine that all men are equally free; on the basis of natural liberty, they proclaimed their right to life, to culture, and to property."⁷

The Spanish colonial enterprise was unique in world history because it rested on a theological-juridical foundation which gave a special character to the Laws of Burgos, the Laws of the Indies, the Conquest, and the Christianization of America. The principal architect of the Spanish theological science was St. Thomas Aquinas (1225?-1274), and the followers of St. Thomas were particularly well represented in Spain by members of the Dominican order.⁸ The first Dominican missionaries arrived in the New World in 1510, intent upon carrying out the late Queen Isabella's hopes of converting and civilizing the Indians. When they personally witnessed the violence and outrages being committed by the Spaniards and conquistadores upon the natives, their consciences compelled them to speak out against such abuses. After mature deliberation, the small Dominican community on the island of Hispaniola decided to voice its protest during a religious festival at which Diego Columbus and other high Spanish authorities would be present. The sermon was written out beforehand and was delivered by Father Antonio Montesinos.⁹

This sermon, delivered in December 1511, took as its text, "I am the voice of one crying in the wilderness." After Montesinos completed his introduction and said something about the subject of the religious holiday, he began to emphasize the aridity of the Spanish consciences on the island of Hispaniola, and the ignorance in which the Spaniards on the island lived. After pointing out that he, Montesinos, was the voice of Christ in the "wilderness" of the island, he warned his audience that they "are all in mortal sin and live and die in it, because of the cruelty and tyranny they practice among these innocent peoples."

Tell me, by what right of justice do you hold these Indians in such a cruel and horrible servitude? On what authority have you waged such detestable

wars against these people, who dwelt quietly and peacefully on their own land? Wars in which you have destroyed such infinite numbers of them by homicides and slaughters never before heard of? Why do you keep them so oppressed and exhausted without giving them enough to eat or curing them of the sicknesses they incur from the excessive labor you give them, and they die, or rather, you kill them, in order to extract and acquire gold every day.¹⁰

The sermon, which fell like a bombshell on the Spaniards, brought forth protests from all the leading men of the island, including Admiral Diego Columbus and the royal representatives of the king. They all agreed to rebuke the Dominicans for preaching such a new and unheard of doctrine, which condemned them all. After haughtily meeting with Montesinos' superior, Fray Pedro de Córdoba, they calmed down enough to present their complaints. The Admiral asked "why that father had dared preach things in such disservice to the king and so harmful to the whole land, by affirming that they could not possess Indians after the king, the lord of all the Indies, gave them to them—especially since the Spaniards had won those islands with great hardships and had subjugated the pagans who held them. And since that sermon had been so scandalous . . . they had decided that that father should retract everything he had said; if not, they would undertake to arrange a fitting remedy."¹¹ After further beseeching and argument, the Dominicans finally agreed that Father Montesinos would return to preach the next Sunday and would go back over his subject "and say what seemed best to him about it, and, as much as possible, would try to satisfy them and explain everything he had said. This having been agreed upon, the officials departed, happy in this hope."¹²

When the hour for the next sermon came, Father Montesinos mounted the pulpit and announced as his text for the basis of the retraction a saying from St. Job, "I will go back over my knowledge from the beginning and I will prove that my discourse is without falsehood." That is, "I will go back to rehearse from the beginning my knowledge and the truths which I preached to you last Sunday and I will show that those words of mine which embittered you are true." He began to elaborate with more arguments and facts what he had affirmed before:

that those oppressed and exhausted peoples were held unjustly and tyrannically. He repeated his understanding that the Spaniards could certainly not be saved in the state they were in, and therefore in time should heal themselves. He made them know that the friars would not confess a man of them, any more than they would confess highway robbers, and that the Spaniards might proclaim and write that to whomever they wished in Castile. In all this, the friars considered it certain that they were serving God and doing the king no small favor.¹³

The news of these two sermons arrived in Spain, very much distorted and much to the discredit of the conscientious Dominicans. King Ferdinand, astounded by the reports of infidelity and treason among the Dominicans, summoned the pro-

vincial of the Order, who similarly shared the surprise of the king and wrote a long and famous letter to the missionaries of Hispaniola. However, the friars themselves were not passive in the face of falsehood and slander. Montesinos and Córdoba returned to Spain to present their case to the king. The king's officials tried to prevent this and went so far as to send a Franciscan missionary to court to counteract the reports of the Dominicans. However, Montesinos was able to convince the Franciscan and bring him over to his point of view. It was then that the king, shocked by what he now heard of Spanish atrocities, said, "Is this possible?" Having been properly informed of Spanish outrages against the Indians, Ferdinand summoned the juntas of Burgos and Valladolid, in which, together with other jurists and theologians, five Dominicans took part. From these juntas came the Laws of Burgos of 1512 and those of Valladolid of 1513.¹⁴ These codes were promulgated by Ferdinand in an attempt to limit the demands of the Spaniards upon a conquered people.¹⁵

This controversy over the treatment of the Indians, and the eventual formulation of the much celebrated Laws of the Indies in 1542, could never have come about without the theological-juridical and Thomist tradition of the Dominican order. Those first missionaries did not protest solely from the natural and Christian impulse of humanity and compassion; they were learned men formed in Salamanca and other centers of Dominican instruction in Spain. Their protests stemmed from the theological and juridical theses reflected in the report of Father Montesinos: "Are the Indians not men? Do they not have rational souls? With what right do you keep them in servitude? With what authority have you waged these detestable wars against these peoples who lived peacefully in their own lands?" To the credit of all the Spanish monarchs, Ferdinand, Charles I, and Philip II, they all sought to make their work in America conform to the doctrines of the Dominican missionaries and theologians, such as Vitoria and de Soto. Although their efforts may have failed owing to improper enforcement and the greed of themselves and their officials, "no other theological-juridical problem of sixteenth century Spain revealed such an unanimity of opinion among Spanish thinkers, as that displayed in the problems arising from the Conquest and Christianization of America." The Laws of the Indies serve as proof.¹⁶

Francisco de Vitoria (1483?-1546) was probably the most noted scholastic scholar in all of Spain during the first half of the sixteenth century. He was literally a teacher of teachers at the University of Salamanca from 1526 till his death, during which time the University produced most of the great theologians and missionaries for America. In 1532, he delivered lectures, subsequently published under the title *Relección de los Indios*, or *Readings on the Indians and on the Law of War*, which set forth certain fundamental principles of law in the course of analyzing and defending the rights of the Indians. Vitoria has been referred to as the father of modern international law. He examined and rejected the various alleged justifications for the subjugation of the Indians, maintaining their rights

to the lands they occupied and their freedom from any compulsion in the acceptance of Christianity, and limiting the intervention of the Spaniards to the organization of a government on behalf of the welfare of the Indians.¹⁷

The Thomist tradition formed the central part of Vitoria's system. From St. Thomas, Vitoria received these two fundamental principles:

1. The divine law, which proceeds from grace, does not annul human law, which proceeds from natural reason.
2. Those things that are natural to man neither are to be taken from nor are to be given to him on account of sin. In other words: That which is natural, be it called law or right, faculty or power, is so consubstantial with the being of man that it remains immutable in every class of men and he cannot lose it or acquire it through sin, whether he be Christian or pagan, black or white.

Using these postulates, Vitoria analyzed and offered his solution to the colonization problems of the Indies. His analysis of the justice of the situation resolved itself into three questions: "By what right have the barbarians or natives of the recently discovered New World been placed under Spanish rule? What temporal and civil power do the Spanish kings have over those natives? What are the limits of the power of the Spanish monarchs, or the church or the popes, over the Indians in what pertains to spiritual or religious matters?"¹⁸

Vitoria ultimately reduced his preliminary questions to one fundamental issue. Were these barbarians or natives of the New World true masters of their countries, and hence true owners of their properties and capable of having legitimate princes or rulers? Vitoria's answer inevitably flowed from the two Thomistic principles stated above, "and dealt a crushing blow to the medieval errors that presented the Indians as barbarous, savage, indolent, and incapable of governing themselves. Following the classic custom of theologians, Vitoria first enumerated the arguments of his foes, which constituted a synthesis of the contemporary ideology and its classical citations from Aristotle," defending two forms of human nature—the slave and the master.¹⁹

"Vitoria's reply to these arguments was incisive: Mortal sin does not deprive a man of his civil rights, of his true dominion over himself and his property.²⁰ In other words, the dominion or right of a man, of all men without distinction of race or culture, to use inferior objects as his own is a natural right which is not annulled by mortal sin, paganism, or the vices of the barbarian, uncouth peoples." Domingo de Soto, Vitoria's comrade at Salamanca, corroborated this thesis: "Those who are in the grace of God are not a whit better off than the sinner or the pagan in what concerns natural rights."²¹ Vitoria also cited the opinion of St. Thomas: "Paganism annuls neither natural rights nor human rights." The Indians did not lose their rights because of their backwardness or sins against

nature or their savage condition. From all this, Vitoria concluded in his *Relección de los Indios* that the Indians of the New World were without doubt true owners, publicly and privately, of their lands and estates, whether they were princes or private persons, just as Christians were in their own lands, and could not be stripped of these rights. Vitoria strongly defended the equal rights of all men. Anticipating and elaborating on both the self-ownership and homesteading axioms, he did not consider discovery as the sufficient basis for ownership of new lands. If the Indians of the New World are owners of their land by natural and human right, as Vitoria claimed, the arrival of foreign navigators and seamen meant nothing. From this point of view, the Spaniards had no more right to America than the Indians would have had if they had discovered Spain and the rest of Europe. The title was false because this had not been a discovery of deserted, ownerless land. The Indians were the owners of their lands by the same right that Spaniards owned their land in Spain.²²

Thus did Dominicans assert “the Thomist principle that natural rights come before all other rights, divine, positive, ecclesiastical. Natural law is at the base of all other laws; its provisions take precedence over the provisions of the laws of nations, international law, and the various national civil laws. To be sure, a man might lose his rights, even his natural rights, but not through sinning qua sinning—only through the commission of crime, of injury, by offending society and the natural and human rights of other men.” The Spanish theologians preached these verities without consulting the interests of their monarchs or country. Their integrity and respect for the truth as they understood it shines out above all. “The Spanish monarchs were not offended, nor did they halt these controversies when they were told the truth. On the contrary, they made these doctrines their own and sought to make their laws conform to them.” The formulation of the Laws of the Indies in 1542 was largely based on the arguments of such men as Vitoria and Bartolomé de las Casas.²³

The integrity and renunciation of worldly interests by the Spanish theologians is perhaps best represented by Bartolomé de las Casas (1474–1566). His “chief merit consists in having had the courage to renounce all material interests” and to have embraced “the justice and truth espoused by the first Dominican missionaries” and teachers “and to have defended these principles on behalf of the Indians for over half a century.”²⁴ It is important to understand that las Casas, known as the Apostle or Protector of the Indians, was only one of the many Dominicans who took an interest in the affairs of the Indians. He defended their proprietary rights and demanded restitution for the violation of their liberty and property. While he could not rise to the theoretical insights of a Vitoria or de Soto, he did write and publish many, many theses and books in defense of the Indians, such as his well-known *History of the Indies*. Bartolomé de las Casas is important to us because he represented a set of ideas systematized by men like Vitoria and de Soto and because he gave his body and soul to the defense of such

ideas without fear of adversity, censure, intrigues, or calumnies.²⁵ From this point of view he is without an equal.²⁶

Las Casas clearly reflects the thinking of the Spanish Renaissance scholars of natural law. In all his treatises, he affirmed the natural liberty and dominion of the Indians and their princes to their lands, by virtue of their being men with all the natural and human rights that entailed.²⁷ Las Casas received a good Latin education in Spain and was greatly influenced by the discovery of the New World. His father and two uncles sailed with Columbus on his second voyage, and when they returned in 1498, las Casas was presented with a young Taino Indian, who was to be his servant. In early 1502 las Casas, himself, embarked on his first trip to the New World. He was commissioned a *doctrinero*, which meant that his Latin ability afforded him an opportunity to instruct the Indians in Christian doctrine. In Hispaniola, las Casas lived like the other colonists, received an *encomienda* and helped to put down Indian uprisings against the Spaniards.²⁸ The *encomienda* system was based on the "giving" or "commendation" of the Indians to the Spaniards, who became *encomenderos*. This grant by the Spanish crown gave the Spaniards the right to exact labor or tribute from the Indians; in return, the *encomenderos* were obliged to provide religious instruction and protection.²⁹

During the years 1506–1507, las Casas traveled back to Europe and visited Rome, where he was advanced to a deaconate. He was back in Hispaniola by 1511 and apparently was a firsthand witness to Father Montesinos' sermon (the only contemporary historical record of this event is found in his *History of the Indies*). However, it was not until several years later, that the impact of the sermon reached las Casas' consciousness. In 1513, he served as a chaplain during the Spanish conquest of Cuba. He was awarded another large *encomienda* and with the help of his partner, Pedro de Renteria, prospered in farming and trade. A year later, while preparing a sermon, las Casas came across the Biblical saying, "Tainted his gifts who offers in sacrifice ill-gotten goods" (Ecclesiasticus 34). Having witnessed the Spanish slaughter of the Indians in Cuba, as a literal bloodbath, las Casas was troubled about the justice of his holdings. Were his offerings derived from Indian lands and Indian labor actually ill-gotten goods? What he had heard from Father Montesinos and the other Dominicans on Hispaniola only served to reinforce his doubts. Moreover, another Dominican priest had refused to hear las Casas' confession because he was holding Indians.³⁰

After spending a few days with these thoughts and having each day become more sure "from what he read of natural and divine law, and from the events he witnessed—applying the first to the second—he decided for himself, convinced by truth, that everything done to the Indians in these Indies was unjust and tyrannical."³¹ Finally he decided to preach this message in his sermon, but not before giving up his holdings in land and Indians. In order freely to condemn the *encomenderos* and the enslavement of the Indians, he felt it necessary to cleanse

his own hands of such injustices. He thus decided to consult his partner and surrender his lands and Indians back to the governor, who was to consider them unclaimed and do with them what he would.³² Las Casas thereupon preached a number of sermons against his fellow Spaniards, which shocked them as much as they had been shocked by the sermon of Montesinos. Henceforth, las Casas devoted his life to the Indians, and in every book he read, "whether in Latin or Spanish, he found additional reasons and authorities to prove and corroborate the justice of those Indian people and to condemn the robbery, evil, and injustice committed against them." Las Casas was to follow this path, chosen in his fortieth year, for the remaining fifty years of his life. It is not too much to say that the struggle for justice for the Indians would have been much less stoutly and persistently fought without him.³³

After undergoing this change of mind and heart, las Casas recrossed the ocean, arriving in Seville in October 1515. His intent was to present his case to King Ferdinand, but he was foiled by the monarch's untimely death. Nevertheless, he was able to present his case against the Spanish conquest to Secretary Lope Conchillos, who tried to offer him favors in the New World if he would call off his campaign on behalf of the Indians. He also spoke to Bishop Juan Rodríguez de Fonseca, the overseer of Indian affairs in Spain, who listened impatiently to las Casas' account of Indian sufferings and scornfully inquired, "What is this to me?" "What is it to your lordship and to the king that those souls die?" retorted the "choleric" las Casas. "Oh great and eternal God! Who is there to whom that is something?"³⁴ During the following years, until his departure for the New World again in 1521, las Casas continued his campaign for Indian justice undismayed. He hatched various schemes of colonization to serve as alternatives to the *encomienda* system, and one of his efforts to establish a utopian colony in Venezuela was dramatically unsuccessful.

In 1522, las Casas entered the Dominican novitiate at Santa Domingo and, one year later, became a professed Dominican. For the next eleven years, in his own words, he "to all appearances, slept," while the tide of Spanish conquest swept over Mexico and Peru. During these years he devoted himself to contemplation and the study of theology and law. In 1527, he founded the Dominican monastery at Puerto de Plata on the north end of Hispaniola. Here, as prior, he refused to grant absolution to Spanish colonists unless they would make restitution for goods and services taken from the Indians.³⁵ He also began work on his famous *History of the Indies*. In 1537, in response to the papal bull "Sublimis Deus", which affirmed the Church's conviction in the rationality of the Indians and in their ability to receive the faith, las Casas wrote in Latin, *The Only Method of Attracting People to the True Faith*. In this work he refuted the arguments that armed conquest was a necessary preliminary to conversion of the Indians. Las Casas demonstrated the inexpediency and injustice of all wars against the Indians and pleaded for their peaceful conversion. "War also fills every place with highwaymen, thieves,

ravishers, fires, and murders," wrote las Casas. In true libertarian style, he asked, "Indeed what is war but general murder and robbery among many?"³⁶ To prove the merits of his arguments, in 1537, he undertook the peaceful conversion of fierce Indian tribes living in an area called the Land of War in northeast Guatemala.

Finding the need for more missionaries in Guatemala, las Casas journeyed to Spain in 1540. He recruited Dominicans for his mission and won the support of his superiors for his view that the Indians should not be baptized en masse. He received permission to remain in Spain until Charles V returned from war with France, hoping thereby to present anew his complaints against the methods of the conquistadores. He wrote the first version of his *Very Brief Account of the Destruction of the Indies* and read it at court to shock his hearers with lurid details of Spanish cruelty. He charged members of the Council of the Indies with corruption and argued in favor of abolishing the *encomienda* system and placing all Indians under the trusteeship of the Crown. The New Laws of the Indies, promulgated in 1542, were partly a response to las Casas' campaign at court. Confirming the hostility of Charles V to the development of a neofeudalism in the New World, the New Laws announced that no more Indians were to be enslaved, officials were to be deprived of their *encomiendas*, and all other *encomiendas* were to be transferred back to the Crown upon the death of their holders.³⁷

Hoping to see his efforts ripen in the New World, las Casas sailed for Peru in 1544. News of the New Laws had already reached Mexico and Peru, and had set off protests against its provisions. When las Casas announced to the Spaniards in Chiapa, Mexico, where he accepted a bishopric, that he would refuse absolution to any Spaniard who did not free his Indian slaves or make restitution of wealth gained from the *encomiendas*, he was nearly forced out of the colony. Owing to the widespread revolt against the New Laws, in 1545 Charles revoked the key law of inheritance, which had provided for the phasing out of the *encomiendas*. In June 1546, while preparing to depart from Mexico City for Spain, las Casas composed his "confesionario" or rules for confessors to be applied in his own diocese. The contents of his "Confesionario" created a scandal and caused las Casas to be accused of treason. He insisted that every penitent free his Indian slaves and make full restitution before receiving absolution—no matter what heirs were waiting for his property—because the penitent's wealth had been unjustly acquired.³⁸

When las Casas reached Spain, he found himself on the defensive. He had to spell out his theory of Spain's title to the Indies, which was that Pope Alexander VI had granted Spain only the right to evangelize the natives, not to conquer and make slaves of them. He also encountered, for the first time, the well-known champion of the conquistadores' point of view, Ginés de Sepúlveda, who was the emperor's chronicler and Renaissance humanist. In 1548, las Casas had helped prevent the Spanish publication of Sepúlveda's *Democrates Alter*, which defended wars of conquest. In return, Sepúlveda played a part in the government's con-

fiscation of las Casas' "Confesionario." Las Casas tried to stem the reaction by redoubling his protests against Spain's exploitation of the Indian. Finally Charles V became so troubled by las Casas' criticisms that he ordered all conquest in the New World halted. This was in 1550, and soon thereafter a commission of theologians jurists was appointed to hear Sepúlveda and las Casas debate the justice of the conquest and to decide on the most lawful method of carrying out the Spanish occupation of America.³⁹

The great debate took place in 1550, between July and September, in Valladolid, and was heard by many of the great university theologians and jurists of Spain. Sepúlveda argued that the Indians' vices justified war against them and that they were also an inferior race needing Spanish tutelage. They were "slaves by nature" in the words of Aristotle's *Politics*. Las Casas replied by defending the Indians' rationality and liberty.⁴⁰ Without recounting their arguments, it is not too much to say that Sepúlveda's ideas failed to win official approval. Spain, through the mouth of las Casas, made a substantial contribution toward the development of one of the most important hypotheses ever set forth—the idea that the Indians discovered by Spain in the New World were not beasts, not slaves by nature, not childlike creatures with a limited understanding, but rather men capable of becoming Christians, with the right to enjoy their property, political liberty, and human dignity, who should be incorporated into the Spanish and Christian civilization rather than being enslaved or destroyed. "When las Casas spoke at Valladolid for the American Indians, his argumentation . . . strengthened the hands of all those who in his time and the centuries to follow worked in the belief that all the peoples of the world are human beings with the potentialities and responsibilities of men."⁴¹

Though the judges never rendered a formal decision, las Casas was inspired by the successes he had accomplished in Spain. There was still much work to be done on behalf of the Indians, and since he felt it could best be done in Spain, in 1551 he arranged for lifetime residence in the Dominican monastery at Valladolid. This gave him the leisure and time to devote to his studies and writings about the New World and the Indians. He now became permanently and universally recognized as "Protector of the Indians." During 1552, he published seven treatises at Seville. They included his controversial "Confesionario," two treatises on Spain's title to the Indies, an attack on Indian slavery, an attack on the *encomienda* system, a summary of his debate with Sepúlveda, and his already written *Very Brief Account of the Destruction of the Indies*. Between 1554 and 1560, he fought his last major battle on behalf of the Indians. Peruvian conquistadores were making an effort to have their *encomiendas* made perpetual by offering the new Spanish monarch, Philip II, some 7–9 million ducats. Las Casas arranged to get powers of attorney from the Peruvian tribes and offered to better the bid of the conquistadores by 100,000 ducats. Eventually the proposal was dismissed, but

not before las Casas had written of the Spaniards in the New World: "The best thing imaginable would be to cast them, the Spaniards, all out, except a few chosen ones."⁴²

Instead of gracefully or even gradually retiring, las Casas kept on campaigning for recognition of Indian rights almost to the day of his death. During the last decade of his life, he followed the regal court about clamoring for justice for the Indians—and most often obtaining it.⁴³ "The old holy man" was both an Old Testament prophet and a canon lawyer.⁴⁴ In true libertarian style he became more radical as he grew older.⁴⁵ If anything, his final positions hardened.⁴⁶ He became more rigid on his insistence of restitution to the Indians.⁴⁷ In the years after the failure of the New Laws, las Casas became more and more determined and energetic. His earlier view of considering the conquest and the *encomienda* system as abuses by individual Spaniards could not be continued when the Crown itself supported them. "Then it was that las Casas began to abandon his ancient regalism to give himself over to the defense of his thesis, even when it was contrary to legal decisions of the king, finding support for his views in the Thomistic theory of natural law." Earlier, "las Casas had recalled to Philip II that the prince could not make just by his laws what natural law held to be unjust. The regalism of las Casas now seems to disappear entirely when he sees that the Crown has decided on a matter involving conscience in the light of its own material interests."⁴⁸

Las Casas carried on extensive correspondence with his disciples throughout Spain and the New World. He represented many of the Indian tribes at court under powers of attorney. In 1559 he completed his *Apologetic History*, and by 1564 had finished his *History of the Indies*. The latter work is a pioneer study in anthropology, containing detailed descriptions of the Indians' lands, social and political organization, and customs. Las Casas also made a very important contribution to New World historiography by preserving the single greatest document on the discovery of America, the journal kept by Columbus as he proceeded westward on his first voyage. The journal, which has not survived, was transcribed by las Casas and used in writing his *History*.⁴⁹

A few days before his death in Madrid in 1566, he had a colleague present a petition concerning Indian rights to the Council of the Indies. Less than three weeks before, he had prevented certain Indians of Guatemala from being given in an *encomienda*. In his will, dated March 17, 1564, he described his vocation and told how he had labored for fifty years for his people, the Indians:

In His goodness and mercy, God considered it right to choose me as his minister, though unworthy, to plead for all those peoples of the Indies, possessors of those kingdoms and lands, against wrongs and injuries never before heard of or seen, received from our Spaniards . . . and to restore them to the primitive liberty of which they were unjustly deprived. . . . And I have

labored in the court of the kings of Castile going and coming many times from the Indies to Castile and from Castile to the Indies, for about fifty years, since the year 1514, for God alone and from compassion at seeing perish such multitudes of rational men, domestic, humble, most mild and simple beings, well fitted to receive our Catholic faith . . . and to be endowed with all good customs.⁵⁰

Las Casas was truly a heroic figure; today, throughout much of Latin America, he is considered a true saint. There is only one blotch on his escutcheon, yet even this stain serves to demonstrate his concern for justice and right. In his *History of the Indies*, las Casas tells that at the beginning of his crusade, and with the object of securing freedom for the Indian, he had advocated that the Spaniards be permitted to bring Negro slaves to the New World. He states that later he came to regret this, having realized the injustice of the ways in which the Portuguese took blacks and made them slaves. From that time onward, he spoke of Negro enslavement as being equally unjust and tyrannical as that of the Indians, because Negroes possess the same powers of reasoning as do Indians.⁵¹

Las Casas did not ultimately reject the institution of slavery, but he did demand that its legal requirements be fulfilled.⁵² This was in line with the thinking of other Dominicans, such as Vitoria, who claimed that those Negroes enslaved in legitimate war, among themselves, could be sold as slaves to the Europeans. The case of the Indian was different, from las Casas' view, because the Spaniards had entered into unjust wars against them. Therefore no legitimate slaves could be taken. In his memorial of 1543, las Casas offered to prove that not even a single Indian could lawfully be enslaved. In another treatise, las Casas wrote that all men are free "if the contrary is not proved" and that their natural freedom can be lost only by accident or special circumstances—not by nature as Sepúlveda maintained.⁵³ Several Spanish thinkers, besides las Casas, anticipated the English and American antislavery movement of the nineteenth century. An interesting episode is related by Friar Tomás de Mercado, a Spaniard, in 1569. He relates that the theologians of Seville and Castile asked the theologians of Lisbon whether they approved of the African slave trade, which was taking place under the Portuguese emperor. The latter replied by asking whether the Sevillians and Castilians thought that theology in Lisbon was different from theology in Seville, and saying that they, in Lisbon, condemned the slave trade just as much as the Spanish theologians did.⁵⁴

As Protector of the Indians, las Casas came to advocate restitution, whereby the Spaniards would have to return to the Indians the land and property stolen from them. The requirements of full restitution were contrary to the interests of the Spanish colonists, as evidenced by their rejection of the New Laws of 1542. However from las Casas' point of view, open or even covert refusal to make restitution to the Indian was equated with cases of simple theft, which in conformity with the norms of Christian doctrine barred the offending *encomendero*

from absolution by a priest. The same was true of an *encomendero* who had not paid Indians for their work, or had sent them illegally to the mines, or taken their goods without payment. According to the rules of las Casas' "Confesionario," such offenses deferred absolution until the delinquents had made reparation. They had the recourse of complaining or litigating in the Council of the Indies, but they could not receive absolution or make their peace with the church because they had not repaired the mischief done and had retained property that belonged to others.⁵⁵ "The restitution of Indian property and other rights was represented as the collective obligation of all the participants in the Conquest." Las Casas also "insisted on the perpetual right of the Indians to wage war against the Spaniards, until the just cause of such war disappeared. . . . He asserted that the Spaniards could not collect tribute without committing mortal sin" and he "reminded confessors that they had no right to collect as much as a penny for performance of their duties if they did not exhort and persuade those who had robbed the Indians to make restitution. Nor could the church collect tithes or accept alms that had originally been 'stolen.' Anyone who took gold from the native temples or graves committed robbery. No Spaniard could gain salvation if he did not return all the lands he had taken from the Indians."⁵⁶

Las Casas often referred to restitution, especially in his later years, and he had even written a treatise on the subject, which has not survived. In a "representation" of 1542, las Casas wrote: "All the goods that all the conquistadores in all the Indies possess were robbed and taken with enormous violence from their owners, the Indians. All the world knows this, and the conquistadores themselves recognize and admit this. . . ."⁵⁷ He proposed that the pope be requested to order "a general composition" of goods or riches whose owners or heirs were dead or unknown. Las Casas requested that in the case of properties

whose owners or heirs are alive, Your Majesty should order their restitution to their proper owners. . . . But in the case of those who are dead or have not left heirs, using the said license and authority of the Pope, Your Majesty is obliged to order the best and most favorable restitution possible, to the people of the said lands. . . . And this Your Majesty must not fail to do, with all your power, for restitution of stolen property or for injuries done to the innocent is commanded by both natural and divine law, which Your Majesty cannot set aside or weaken.⁵⁸

Las Casas maintained that the King, who had received a large share of the booty of the conquistadores, should waive his rights to all future tribute from the Indians. Las Casas specifically required restitution from three classes of persons: those who had taken or still took up arms as conquistadores; *encomenderos* who held Indians in *encomienda*; and merchants who supplied arms and material for wars against the Indians.⁵⁹ None of these people were innocent of wrong doing. In sum, las Casas thought that all the Spaniards had done in the Indies was null and legally invalid because it had been done without the authority of their king and without natural justice.⁶⁰

Las Casas' restitution theory had a definite impact in Latin America, especially in Peru where the archbishop of Lima, Fray Geronimo de Loaysa, gave it serious attention. First, a junta of theologians was summoned, later, the second council of Lima, over which Loaysa presided, considered the significance of restitution to the Indians. The council decreed that "those who have gravely injured the Indians must cease their oppression and restore what has been unjustly taken from them, since the sin continues if restitution is not made." The decree explained how restitution was to be made if the injured parties were not known or had left no heirs, and it admonished notary publics to propose to testators just means for making good the injuries they had caused. Las Casas' doctrine on the strict application of the Christian norms of restitution of unjustly acquired property deeply penetrated the Church in Peru. "The trail of las Casas can be recognized with the most absolute certainty, especially in the rigorous condition that restitution must be specified in a public instrument that was made out before confession by conquistadores and *encomenderos*."⁶¹

There is no question but that the natural law theories of a Vitoria and the demands for restitution by las Casas fall within the libertarian tradition. The central thrust of that tradition is to oppose any and all forms of invasion against property rights of individuals in their own persons and in the material objects they have voluntarily acquired. Adopting the criminal metaphor, we may say that governments are like organized gangs of banditti, negating property rights and surviving by imposing territorial jurisdiction and taxation on those they conquer.⁶² This description aptly fits the history of the Spanish conquest in the New World. The scholastics of sixteenth century Spain saw that the Indians were deprived of their personal liberty, their lands, and their moveable property. Without a doubt they were forerunners of later groups comprising the libertarian tradition: the Levellers and opponents of Charles II in seventeenth century England, the American rebels revolting against England in the eighteenth, and the English and American antislavery radicals of the nineteenth century. These Spaniards were unable to envision the existence of a truly libertarian society and free market, given the semif feudal state they lived in, but they did realize that legitimate property titles were essential to defining justice in any given situation. Only by inquiring into the justice of property titles, which they rightfully grounded on homesteading and self-ownership, and demanding rectification of injustices wherever they were found, could these Spaniards rest easy with their consciences. The entire Third World concern with land reform today points back to the same concerns of these sixteenth century Spanish clerics and jurists.⁶³ At the base of their theological-juridical system was a fundamentally libertarian postulate. Humanity, in their eyes, was a single universal society—by natural law. Although we might not accept their theology, they maintained that God, lord of the universe, created man in order to people the world and exploit its natural resources. Natural law makes men—all men without distinction of frontier or race—members of this world com-

munity by birth. "Man is a citizen of the world by natural law."⁶⁴ "All mankind is one" as we have stated, in the sense that all peoples of the world have individual rights. What more beautiful illustration of the libertarian tradition at work in sixteenth century Spain could one ask for?

Notes

1. *Encyclopaedia Britannica*, 15th ed., s.v. "Spain, History of."
2. Lewis Hanke, *Bartolomé de las Casas, An Interpretation of His Life and Writings* (The Hague: Martinus Nijhoff, 1951), pp. 2, 4, 48.
3. Venancio D. Carro, "The Spanish Theological-Juridical Renaissance and the Ideology of Bartolomé de las Casas," in Juan Friede and Benjamin Keen, eds., *Bartolomé de las Casas in History* (De Kalb: Northern Illinois University Press, 1971), p. 245.
4. Murray Rothbard, *For a New Liberty* (New York: Macmillan, 1973), p. 43. For more on the libertarian tradition, see Carl Watner, "The Criminal Metaphor in the Libertarian Tradition," *Journal of Libertarian Studies*, 5, no. 3 (Summer 1981).
5. This expression was used by Lewis Hanke in his book by the same title, *"All Mankind Is One": A Study of the Disputation Between Bartolomé de las Casas and Juan Ginés de Sepúlveda in 1550 on the Intellectual and Religious Capacity of the American Indian* (De Kalb: Northern Illinois University Press, 1974). See also p. xi of this book.
6. J. Martin Littlejohn, "The Political Theory of the Schoolmen and Grotius" (Ph.D. diss., Columbia University, 1896), pp. 7-8.
7. Hanke, *"All Mankind Is One,"* p. 142, quoting Pereña Vicente.
8. Carro, "Spanish Theological-Juridical Renaissance," pp. 248-49. Carro's essay has been invaluable in writing this paper and is highly recommended.
9. The next several paragraphs dealing with Montesinos are based on selections found in George Sanderlin, tr. and ed., *Bartolomé de las Casas, A Selection of His Writings* (New York: Knopf, 1971), pp. 81-86.
10. *Ibid.*, p. 81.
11. *Ibid.*, p. 83.
12. *Ibid.*, p. 84.
13. *Ibid.*, p. 85.
14. This paragraph is based on Carro, "Spanish Theological-Juridical Renaissance," p. 245.
15. *Encyclopaedia Britannica*, 15th ed., s.v. "Indies, Law of the."
16. This paragraph is based on Carro, "Spanish Theological-Juridical Renaissance," p. 245.
17. See *ibid.*, generally, and also *Encyclopaedia Britannica*, 15th ed., s.v. "Vitoria, Francisco de."
18. This paragraph is based on Carro, "Spanish Theological-Juridical Renaissance," pp. 251-52.
19. *Ibid.*, pp. 252-53.
20. *Ibid.*, p. 253 (unless otherwise noted).
21. Carro refers to his work, *Domingo de Soto y su doctrina jurídica* (Madrid, 1944), pp. 207-50. Referring to de Soto's work on *Justice*, Carro writes: "Domingo de Soto always answered in the negative mode and supported the first principles of right [referring to the question of whether the state might not sacrifice one of its citizens, even if innocent of any wrongdoing, in order to save the remainder]. The city or Republic is not the owner of life and may not sacrifice, even indirectly, any citizen even if it is the only means proper for the defense of the rest. Even if the existence of the nation depended on the life of one innocent man, it would not be legal for the State to sacrifice his life. . . . Vitoria and de Soto exploded the argument that one should sacrifice one's arm or leg to save the rest of one's body from infection [as a justification for the Republic's sacrifice of one innocent citizen]. Sacrificing a citizen to the public good was not the same as amputating your leg. The two examples had no parity. The innocent person has a personality of his own, even though he is a member of the public, whereas our arms or legs do not have their own distinct personalities and are incapable of having rights separate from the rest of the body" (my translation, pp. 211-12). I am sure one could find many more libertarian arguments based on natural rights in the works of these authors.

22. See Carro, "Spanish Theological-Juridical Renaissance," pp. 254–58, especially p. 256.
23. This paragraph is based on *ibid.*, pp. 253–54.
24. *Ibid.*, pp. 247–48.
25. *Ibid.*, p. 264.
26. Las Casas' biography is reminiscent and serves as a forerunner of latterday antislavery radicals and crusaders, such as the Quakers, Ralph Sandiford, Benjamin Lay, and John Woolman. See Carl Watner, "The Radical Libertarian Tradition in Anti-Slavery Thought," *Journal of Libertarian Studies* 3, no. 3 (Fall 1979):311–12.
27. Carro, "Spanish Theological-Juridical Renaissance," p. 269.
28. For these and the following biographical details, see Sanderlin, *Bartolomé de las Casas*, pp. 4–24.
29. Hanke, *Barolomé de las Casas*, p. 15.
30. Sanderlin, *Bartolomé de las Casas*, pp. 7–8. Sanderlin's "Introduction" has been invaluable in writing this paper.
31. *Ibid.*, p. 88, based on autobiographical writings of las Casas found in his *History of the Indies*.
32. *Ibid.*, p. 89.
33. Hanke, *Bartolomé de las Casas*, p. 21.
34. Sanderlin, *Bartolomé de las Casas*, p. 9.
35. *Ibid.*, p. 13.
36. *Ibid.*, p. 14.
37. *Ibid.*, pp. 15–16.
38. *Ibid.*, p. 18.
39. *Ibid.*, p. 19.
40. *Ibid.*
41. Hanke, *Bartolomé de las Casas*, p. 87.
42. Sanderlin, *Bartolomé de las Casas*, p. 21.
43. *Ibid.*
44. Henry R. Wagner, *The Life and Writings of Bartolomé de las Casas* (Albuquerque: University of New Mexico, 1967), p. 136; also Sanderlin, *Bartolomé de las Casas*, p. 21.
45. Sanderlin, *Bartolomé de las Casas*, p. 20. This reminds one of Murray Rothbard's description of Lysander Spooner, noted constitutional lawyer and individualist-anarchist: "He became steadily and inexorably more radical as he grew older." *Libertarian Forum* 6, no. 9 (September 1974):1.
46. Wagner, *Life and Writings*, p. 247.
47. Sanderlin, *Bartolomé de las Casas*, p. 20.
48. Hanke, "All Mankind Is One," p. 155, quoting Silvio Zavala. Here we readily note the implicit anarchist doctrine found in the natural rights theory of the libertarian tradition.
49. Sanderlin, *Bartolomé de las Casas*, pp. 21–22; see also Hanke, *Bartolomé de las Casas*, p. 53.
50. Sanderlin, *Bartolomé de las Casas*, pp. 22–23.
51. Silvio Zavala, *The Defense of Human Rights in Latin America, Sixteenth to Eighteenth Centuries* (Paris: UNESCO, 1961), pp. 47–48.
52. Juan Friede, "Las Casas and Indigenism in the Sixteenth Century," in Juan Friede and Benjamin Keen, eds., *Bartolomé de las Casas in History* (De Kalb: Northern Illinois University Press, 1971), p. 166.
53. *Ibid.*
54. Zavala, *Defense of Human Rights*, pp. 49–50.
55. Friede, "Las Casas and Indigenism," p. 190; see also Wagner's remarks on restitution in *Life and Writings*, pp. 234–36.
56. Friede, "Las Casas and Indigenism," p. 203.
57. Manuel M. Martínez, "Las Casas on the Conquest of America," in Friede and Keen, eds., *Bartolomé de las Casas in History*, p. 340.
58. Martínez, "Las Casas on the Conquest of America," p. 340.
59. *Ibid.*, p. 343.
60. *Ibid.*

61. Ibid., p. 344.
62. See Rothbard, *For a New Liberty*, and Watner, "The Criminal Metaphor in the Libertarian Tradition."
63. Roy Childs, Jr., "Land Reform and the Entitlement Theory of Justice" (Paper delivered at the Libertarian Scholars Conference, Princeton University, Princeton, New Jersey, 1977). See Childs' "Conclusion," especially pp. 25-27.
64. Carro, "Spanish Theological-Juridical Renaissance," p. 258.

The Anti-Interventionism of Herbert Hoover

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“We are passing through the most serious moment in the history of the world since the year 410 A.D.—the year of the fall of the Roman Empire and the capture of Rome by the barbarian king, Alaric.” So commented Herbert Hoover on May 25, 1940, to the bar association of Nassau County, New York. German troops had just reached the English Channel. The bulk of British and French forces in Belgium and northwestern France were trapped. The world, said the former president, was experiencing “the most gigantic drama of 1,000 years.”¹

Yet the very same Herbert Hoover who had voiced such alarm was a major opponent of American entry into World War II, so much so that *Life* magazine just over six months before had called him the nation’s most effective isolationist. Hoover, it said, was more energetic than Senator Arthur H. Vandenberg, more realistic than Senator William E. Borah, more discreet than Colonel Charles A. Lindbergh.²

If one uses the term “isolationist” in the classic sense—as applying to one seeking to avoid political and military commitments—by 1938 Hoover certainly qualified.³ But the term has usually been given a negative political connotation and indeed has been used as a political weapon. Hence a much closer look at Hoover’s brand of anti-interventionism is necessary.

This essay begins with some brief coverage of Hoover’s background and then notes the degree of isolationism in his presidency. It then shows how Hoover’s reputation as an isolationist really came about because of the positions he took during World War II and the Cold War. However, before it traces these positions, it describes Hoover’s general views, as presented in 1942, on the dynamics of modern war. The essay concludes by finding that any contemporary significance of Hoover lies less in his specific responses to specific crises than in his broad approach to international relations.

Author’s Note: This article is based upon a paper delivered on April 14, 1982 before a conference entitled “Herbert Hoover’s Social Philosophy and Contemporary America,” sponsored by the Hoover Presidential Library at West Branch, Iowa. In preparation for publication, the author has drawn upon more recent scholarship.

By taking such a comprehensive view of Hoover's foreign policy, one can put several stereotypes to rest. Hoover was neither indifferent nor apathetic toward developments overseas, and he paid far closer attention to foreign policy than did, say, his close friend and political ally Senator Robert A. Taft. His long work in relief showed a care not only about nations in the abstract but about the individuals within them. His analysis of the causes of modern war revealed real sophistication, and if anything, he placed too much stress on economic pressures and market factors. No mere naysayer, he always thought seriously about the problems of international organization and envisioned a form of organization centering on regional councils.

Were one living in 1929, one would have found few Presidents entering the White House with as much international experience as Herbert Hoover. As a mining engineer, then a leading businessman, Hoover had lived in such diverse areas as South Africa, Burma, Peru, Mexico, and Siberia. He had traveled camelback in western Australia, dodged shellfire in Tientsin. A contemporary biographer noted, "Hoover boarded an ocean liner as casually as you or I take a trolley-car to our daily jobs."⁴ If Hoover had a permanent residence before World War I, it was London. There was a time when even high school students knew of Hoover's accomplishments with the Belgian Relief Commission, the Supreme Economic Council at Versailles, and the American Relief Administration. Hoover in fact had more than a share in determining power alignments in postwar Europe. As secretary of commerce, he worked unceasingly to capture overseas markets, and he was so aggressive on behalf of his department that Secretaries of State Charles Evans Hughes and Frank B. Kellogg believed he was poaching on their turf.

One biographer, David Burner, has noted just how interventionist Hoover could be. By the time of the *Lusitania* incident, he despised Imperial Germany and found war inevitable. Had the United States not entered the Great War, Hoover maintained in 1919, German autocracy would have smothered Europe. He ardently believed, perhaps even more so than did Woodrow Wilson, that the League of Nations could remedy the wrongs of Versailles. America, he claimed, possessed a "trusteeship to the world-community for the property which she holds."⁵ In short, Hoover could have been seen as a cautious—and at times not so cautious—Wilsonian.

Even had Hoover died a few years after leaving the White House, say in 1935 or 1936, it is doubtful whether he would have been remembered as an isolationist. Note, for example, the Manchurian crisis of 1931–1933. If one were to look back at the crisis, and look back without realizing that World War II was in the offing, from one vantage point the crisis would have shown Hoover as an alert world leader. Hoover approved the temporary seating of an American representative at the League Council in Geneva. He took pride in the fact that his administration would not recognize the Japanese puppet state of Manchukuo.⁶ In February 1932, he ordered 1,400 American troops and part of the Asiatic fleet to Shanghai,

there to protect the besieged American population, and in so doing faced much public criticism for being too belligerent. He approved the famous Borah letter, in which Secretary of State Henry L. Stimson warned Japan that continued belligerency would result in American battleship reconstruction and fortification of Pacific territories. He vetoed a Philippine independence bill, suggesting that total freedom exposed the islands to Japanese threat.

Nor was this all. As president, Hoover recommended American membership in the World Court, albeit with the reservations drafted by diplomat Elihu Root. He promoted the London Naval Conference of 1930 and the Geneva Disarmament Conference of 1932. He desperately sought an international economic conference, one that could coordinate trade, currencies, and marketing and thereby help alleviate the worldwide depression. He initiated much of the Good Neighbor policy, first by his good-will tour of Latin America shortly after his election, second by his gradual withdrawal of marines from Nicaragua and Haiti, and third by keeping hands off troubles in Cuba. Until 1937, it could well be argued that Franklin Delano Roosevelt was far less of an internationalist than his predecessor.

None of this is to argue that there could not have been more internationally minded presidents than Hoover. While opposed to the Japanese invasion of Manchuria, Hoover fought any economic pressure on Japan.⁷ Hoover signed the restrictionist Smoot-Hawley tariff. He refused to recognize the Soviet Union. Like his immediate predecessors and successor, he was extremely cautious about cooperation with the League. (During the Manchurian crisis, the cooperation with the Council lasted only three days.) However, on the basis of the presidency alone, it would be hard to classify Hoover as an isolationist in the same way that one would use this term for William E. Borah, Hiram Johnson, Gerald P. Nye, and until 1942 Arthur H. Vandenberg.

The reputation of Hoover as a leading isolationist, one who occupies a prominent place in various books on isolationism, comes about primarily because of his opposition to World War II and Cold War involvements.⁸ Moreover, Hoover's later involvements color much evaluation of his foreign policy and often cause historians to exaggerate the "isolationist" tendencies within it. But to understand the nature of Hoover's anti-interventionism, and thereby see why he took the positions he did, one should begin by looking at Hoover's broad view of the forces determining international behavior.

In a highly publicized book entitled *The Problems of Lasting Peace* (1942) and written with retired Republican diplomat Hugh Gibson, Hoover outlined what he saw as the causes of modern war. Some causes were hardly surprising, including militarism, nationalism, imperialism, and ideology. Hoover by no means excluded economic factors. Though he denied that he was a "complete" economic determinist, he claimed that market and population pressures played "a striking part on the world stage today." In fact, they were "among the primary causes of the collapse of the world into this second World War." The Quaker statesman also

sounded a bit like an old-time Calvinist in his claim that man was “a combative and egocentric animal,” who “loves contest” and “hates easily.”⁹

In analyzing the origins of World War I, Hoover suggested that the leaders of several powers—Russia, Germany, and Austria—risked war to avoid internal pressures of nationalism and democracy. Germany in particular, he said, bore much responsibility for the “origin and conduct of the war.” He continued, “No amount of punishment could have been devised to do full justice for the crimes and brutality of those four years.”¹⁰ Hoover, however, strongly condemned the harshness of the Versailles peace. He was particularly critical of France. French diplomats, he claimed, heightened German fears of encirclement and destruction during the 1920s, drove Italy into the arms of Germany, and abandoned Britain when sanctions were applied during the Ethiopian crisis.¹¹ In contrast, Britain had wisely sought to bolster the status of the Weimar republic. The League too was a failure, as it had no effective means of even discussing, much less providing for, the peaceful change so needed to avoid war.¹²

Before Pearl Harbor, Hoover was more moderate than many anti-interventionists. He was suspicious of the proposal for a popular war referendum spearheaded by Congressman Louis Ludlow. It would only be effective, Hoover claimed, if all countries were democracies and would agree to this practice in common. The neutrality acts, he predicted, would collapse with their first contact with realities. If enforced, they could “place us in practical economic alliance with the aggressor.”¹³ Late in March 1938, Hoover praised Secretary of State Cordell Hull’s denunciation of international lawlessness, and in December 1940, he acclaimed the Roosevelt administration’s protest against Russian bombing of Finnish civilians.¹⁴ He came to the defense of both William Allen White, national director of the interventionist Committee to Defend America by Aiding the Allies, and the isolationist Charles A. Lindbergh. Both individuals, he said, were “single-minded men in their devotion to our country.”¹⁵ In May 1940, Hoover reversed his criticism of defense appropriations, going so far as to endorse Roosevelt’s proposal to spend \$1.18 billion on national defense. Speaking a week after Germany invaded the Low Countries and a day after German armies had invaded northern France, Hoover said that America’s defense appropriations should be revised upward in light of these events.¹⁶ In December 1940, he commended Roosevelt for establishing the Office of Production Management and appointing industrialist William S. Knutson as its head.¹⁷ Hoover made guarded endorsements of Roosevelt’s protests against German sinking of American ships.¹⁸

Yet, in most other ways, Hoover was strongly opposed to New Deal foreign policy, and he made no secret of it.¹⁹ He first started publicly to address himself to foreign policy matters in January 1938, when he accused the Roosevelt administration of leading an arms race. The United States, he declared, should fight only if the Monroe Doctrine were violated. In opposing economic coercion as a diplomatic tool, Hoover called for strict neutrality in global conflicts.²⁰

Although he claimed that the greatest force for peace was public opinion, in late March 1938 he called for another international economic conference, one that could reduce the economic barriers he saw at the root of much of the world's problems.²¹ The governments of Germany, Italy, and Japan, he said in October 1938, faced severe shortages of food and materials. For Germany, however, such shortages could not be relieved either by war on the Western democracies or by territorial acquisitions overseas. Such opportunities, as Germany itself undoubtedly realized, lay "in the economic expansion and development of Eastern Europe," and Hoover later said privately that he had endorsed the Munich agreement. The United States was not in danger, for the totalitarian powers found peaceful trade worth more than any conquests in the Western Hemisphere.²²

Hoover always stressed his personal opposition to totalitarian regimes. After meeting with Hitler and Goering on a visit to Europe in March 1938, he said that Germany's material recovery could never compensate for the loss of personal freedom.²³ In fact, he told Hitler himself that the Nazi system could never be accepted in the United States.²⁴ The events of the Crystal Night caused Hoover to compare Nazi persecution of the Jews to "Torquemada's expulsion of the Jews from Spain." A blow, he declared, was being struck "at civilization itself."²⁵

Hoover maintained, however, that "military and totalitarian philosophy is not new in the world." "The democratic nations," he continued, "have always had to live with such bedfellows."²⁶ To fight a country because of its ideology "would lead the world to worse destruction than the religious wars of the Middle Ages," he remarked.²⁷ In fact, the issue in Europe really did not concern democracy versus dictatorship at all, but was rather a conflict between the "haves" and "have-nots." England and France were "imperialistic democracies, controlling millions [of people] of subject races."²⁸

At times, Hoover saw peace in the offing. In part, this was because he believed that France and Britain had an adequate defense.²⁹ In part, Hoover believed that Germany had no desire to fight England, France, or Belgium; rather it planned to move east and south. According to one Hoover associate, the former president thought that this move would "do no harm for general peace, as Germans would give better government than now exists in Roumania, Bulgaria, Hungary and parts of Czechoslovakia."³⁰ Hoover found the Soviet Union ineffective, as it lacked leadership and, for the immediate present, had a Japanese threat to its rear. He referred to its government as "a gangster regime, far removed from the earlier communist principles" and "a sort of a racket."³¹

Yet, at other times, he saw war ahead, with Roosevelt's belligerence—in his eyes—being one of the prime causes.³² (In one statement, he went so far as to advocate rearmament, saying that "to be respected is the first step to our peace in a dangerous world."³³). True, in commenting on Austria a week before the Anschluss, Hoover found half the population willing to accept any government that would give them peace.³⁴ And true, in February 1939, Hoover suspected

that Germany was approaching economic crisis.³⁵ In March and April, however, he claimed that it was only the craft of British statesmen ("today the only outstanding skillful group of world diplomats") that kept the world from war. Had Roosevelt been as calm as Chamberlain, "he might have been of great service in bringing these people around a council table."³⁶

Once war broke out in Europe, Hoover predicted that allied advantages—such as superior sea power—might well win the war for them. At worst, a stalemate was in the offing.³⁷ Two months before the conflict began, Hoover had suggested that future belligerents exempt food from any blockade and permit neutral observers to monitor any attacks on civilians.³⁸ When war came, Hoover resumed his proposal concerning air attacks, suggesting the Scandinavian countries as monitors.³⁹ The British government turned down Hoover's suggestion, with Foreign Undersecretary R. A. Butler claiming that difficulties of enforcement were "almost insuperable."⁴⁰

Hoover also favored repeal of the arms embargo and the enactment of cash and carry. Differing with such isolationists as Hiram Johnson and William E. Borah, Hoover believed that arms sales would "give an emotional outlet to the American people" and thereby reduce pressures for intervention.⁴¹ There was, however, one qualification: a ban on the shipment of all offensive weapons should be retained.⁴²

By the end of 1939, Hoover was avoiding policy recommendations. The closest thing to analysis and recommendation came in a speech to the Circumnavigators Club of New York. Here Hoover expressed the fear that the great nations faced twenty-five years of war. The American people, he said, had a stake in the preservation of both the British Empire and the German state.⁴³ Privately Hoover told Lindbergh that it was inevitable that Germany would expand and, if necessary, by fighting. Britain, he went on, had been on the decline since World War I.⁴⁴ Hoover's main energies, however, were first spent on efforts toward Polish relief.⁴⁵ After the Soviet Union attacked Finland, doing so on November 30, Hoover headed the Finnish Relief Fund.⁴⁶ He also called upon the United States to withdraw its ambassador to Russia in protest, while keeping a *chargé d'affaires* there to handle necessary business.⁴⁷

Once Germany attacked the Low Countries, then France, Hoover warned against panic. On the one hand, he denied that the United States could be attacked.⁴⁸ On the other, he called for increased defenses and in this connection mentioned a strong navy.⁴⁹ He defended the actions of King Leopold of Belgium, whose surrender was widely criticized for not giving sufficient warning to the allies.⁵⁰ He predicted that defeated France hoped to organize "a Catholic totalitarian group of Spain, Italy and the Balkan states against the Germans."⁵¹ In August 1940, he claimed that England would repulse the German attack.⁵²

Yet, by November, Hoover saw nothing but stalemate lying ahead in Europe, for neither side could invade the other.⁵³ Unlike many isolationists, he had few

hopes in a negotiated peace.⁵⁴ And, unlike such militant isolationists as Lindbergh and Colonel Robert R. McCormick, Hoover called for “all the support to England that we can.” He stressed that such aid must be given within the framework of existing laws that, at this time, prohibited loans to any nation (such as Britain) that had not paid its war debts.⁵⁵

In a press statement released on August 11, 1940, Hoover launched his plan to feed some 27 million Europeans, mostly women and children. Unless food was immediately made available, he said, Norway, Holland, Belgium, and Poland faced “wholesale starvation, disease and death.” Possibly France too would be “in difficulties.”⁵⁶ Hoover stressed that the European peoples were not asking for American government appropriations, charity, or ships. They did not even want the right to purchase food in the United States. Rather they sought permission import food from other parts of Europe, if there were any food there, or from elsewhere overseas. A neutral international organization would supervise the operation, protecting supplies from the occupying armies.⁵⁷ Early in 1941, Hoover spoke to Secretary of State Cordell Hull concerning the role food could play in Spain, North Africa, and unoccupied France. “We must use food,” he said, “amongst neutrals and semi-neutrals both for purposes of confidence and affection and also as a Sword of Damocles.”⁵⁸

At first, Hoover was optimistic, thinking that England would permit food to pass through its blockade once it had won the Battle of Britain.⁵⁹ However, he soon found the British in opposition.⁶⁰ He kept stressing that his scheme would not feed the Germans and that, in many ways, the blockade would still be honored.⁶¹ Indeed, both belligerents would benefit in quite different ways, Germany by avoiding “a cesspool of contagious disease with dangers of their own infection” and Britain by preserving “the good-will of millions of the nationals of these little nations.” If the occupied peoples were not fed, their skilled workmen would accept jobs in German munitions factories in order to protect themselves and their friends.⁶²

At home, Hoover’s plan met with real success. By the middle of February 1941, he was able to see his Committee on Food for Small Democracies endorsed by 600 prominent Americans. Over 1,500 chapters had been formed. The interventionist *Time* magazine called Hoover “an eloquent keeper of the U.S. public conscience,” and such notables as General John J. Pershing and Admiral William V. Pratt endorsed Hoover’s efforts.⁶³ However, the British were even able to block a pilot project to feed Belgium, a country Hoover considered particularly threatened by famine.⁶⁴ The former president received significant support in Congress. However, he was under no illusions about chances for success, declaring, “It is rather an uphill battle in view of the war psychosis.”⁶⁵ Even at the time of Pearl Harbor, his proposal was tied in committee.

By September 1940, Hoover was predicting that Germany and Italy would dominate most of Europe from Russia to the Atlantic as well as controlling

dependencies in Africa and the East Indies. As Japan would continue to seek control over Asia, and as Russia would be leading still another totalitarian bloc, about 60 percent of the world's population and about 40 percent of the world's trade would be under totalitarian control. In 1938, about 40 percent of U.S. exports went to these totalitarian areas. But now, Hoover said, the United States would be confronting a world of devaluation, inflation, blocked currencies, limited use of gold, and lack of investment capital. Hence all countries would face shrinking export markets. As Latin American countries could not sell their agricultural surpluses to an already overstocked United States, they would have to trade with totalitarian areas.⁶⁶

Hoover, however, believed that the United States could weather any such threat. Diminishing exports and the threat of foreign dumping could be met by the creation of more home industries. New American factories, producing for domestic consumption, would hire displaced workers and, at the same time, free the nation from foreign dependence. By applying labor-saving devices, fostering capitalism as a system, and maintaining free competition, the United States could not only meet foreign competition. It could continue to sell abroad. "We must work our machines and our heads harder," he said.⁶⁷ If necessary, the nation could even conduct its foreign trade on a barter basis without sacrificing democracy at home.⁶⁸

Such risks, Hoover believed, were far better than the loss of political or economic freedom that would accompany any war. In 1941, Hoover recalled that in World War I, all governments resorted to dictatorial authority, although "in the democracies we used soft phrases to cover these coercions." But whatever cosmetic terms one used, "governments in business was Socialism, and government dictation was Fascism." Any future war would lead the nation to bankruptcy, with the savings of the people lost. America's debt would equal 50 percent of its wealth.⁶⁹ Hoover had claimed as far back as 1938 that the United States would not remain as democracy under such conditions.⁷⁰

Given Hoover's anxieties, the events of 1941 in particular filled him with dismay. Lend-lease gave such sweeping powers to the president that it threatened "the preservation of democracy in this country."⁷¹ Convoys, he kept insisting, could only lead to war.⁷² In April, he claimed that Britain could not possibly win the conflict.⁷³ Furthermore, full-scale American participation could only weaken Britain, while doing little to achieve allied victory.⁷⁴ Far better to supply Britain with needed bombers, fighter planes, tanks, food, munitions, and minor warships.⁷⁵ Yet if, in Hoover's eyes, Britain could not win, it did not have to lose, for Hitler's domain suffered from serious internal weaknesses.⁷⁶

Early in 1941, Hoover told Hull that the Germans had no intention of attacking the Western Hemisphere, at least for "a very long time." To the contrary, they sought first to settle with the British, then to dominate Russia. The Germans, he said, were "a land people . . . not a sea people," and he claimed that the Soviets could be conquered with two army corps. "Their purpose in this war,"

he claimed, was to free themselves "from eastern encirclement."⁷⁷ When, on June 22, Germany invaded Russia, Hoover predicted an early German victory, one that would "dispose of that infecting center of Communism." In fact, Hoover predicted that at the end of the Russian campaign, "Hitler will propose terms to the British that they will accept."⁷⁸ Quick to use the new war to buttress his anti-interventionism, Hoover commented in a public speech that collaboration between Britain and Russia offered strategic values to both sides, but made "the whole arguments of our joining the war to bring the four freedoms to mankind a gargantuan jest."⁷⁹ Even late in November 1941, when Germany had long been besieging Moscow, Hoover opposed aiding the Soviet Union. "Aid to Russia may sound practical now," he wrote Republican leader Alf Landon, "but the world will pay dearly for this debauchery of our ideals of freedom."⁸⁰

By the middle of 1941, Hoover realized that his anti-interventionism was exposing him to strong attack. He wrote an interventionist friend, to whom he was personally quite close, "For what my life and conscience are worth, they become valueless to me or anyone else if I do not persist in what I so deeply believe. I would greatly welcome total eclipse from dealing with the contemporary world. But so long as my voice will be heard I shall do the best with it that I can."⁸¹

United States relations with Japan only compounded Hoover's fears. Hoover had endorsed nonrecognition during the Manchurian crisis, but he would go no further, and during the thirties he opposed applying further pressure. In November 1938, he called Japan's war on China "as horrible as that of Genghis Khan."⁸² In July 1939, however, he argued against terminating the 1911 commercial treaty with Japan. He feared that its renunciation would result in Japanese outrages upon American citizens in Asia that, in turn, would result in war.⁸³ To embargo aviation gasoline and high grade iron and steel scrap was simply "sticking a pin in a rattlesnake."⁸⁴ To freeze Japanese assets was even more appalling. Such American pressure could not get the Japanese out of Indochina. Moreover, so he wrote privately in August 1941, "When Hitler wins in Russia—as he will eventually—and when the British make peace with him, or when we go to war and in the end make peace with him, the Japs will still be there. We will then probably go to war with them and when we will have made peace with them, they will still be in China and way stations."⁸⁵ In addition, war against Japan would be "God's gift to Hitler," as it would force the American navy to convoy in the Pacific and Indian oceans and thereby relieve pressure on the Atlantic.⁸⁶ While in June 1941 Hoover called for direct aid to China, he said privately in September that the United States should encourage Japan to seize southern Siberia.⁸⁷

When the Japanese attacked Pearl Harbor, Hoover publicly called upon his countrymen to close ranks. "We must fight with everything we have," he said.⁸⁸ Privately he was extremely critical of his government. If Japan had "been allowed to go without these trade restrictions and provocations," he commented, "she

would have collapsed from internal economic pressures alone within a couple of years.”⁸⁹ “The Japanese,” he declared soon after the attack, were “exhausted by the war with China.” However, the economic sanctions levied by the Western powers drove them “to desperation.” Hull’s “ultimatum” of November 26, in which the secretary demanded complete withdrawal from China and Indochina, “meant war.”⁹⁰ Hoover wrote to commentator Boake Carter, “The day will come when this war will be put in the scales of judgment, and when this time comes you and I will be found to have been right.”⁹¹

Hoover often commented on strategy. Within a month after Pearl Harbor, he predicted the loss of the Philippines and Singapore—indeed the entire Far East. “It will then,” he said, “be a five to ten years’ war to get them back.”⁹² In March 1942, Hoover specifically forecast the loss of China and India. Furthermore, he claimed that if Germany proposed “a good peace,” many Englishmen might listen.⁹³ In July, he doubted whether Russia would hold out and privately wrote a friend, “Peace will be easier with the Communists out. Peace will be more lasting with that center of revolution in other countries eliminated.” At the same time, Germany would be weakened, for the task of garrisoning the Soviet Union would take 1.5 million men.⁹⁴

As far as the Pearl Harbor attack itself was concerned, Hoover suspected that the War and Navy departments had failed to give the American commanders in Hawaii sufficient warning, and he wanted a thorough investigation.⁹⁵ Ever after, he was a strong supporter of revisionist historians. Charles A. Beard, for example, was no longer referred to as “that left-winger” but as one “right down our alley.”⁹⁷ We must show, he wrote journalist John T. Flynn in 1946, that “the events of the last few years have been all wrong.”⁹⁸

Once the United States entered the war, Hoover devoted himself to the coming peace. He had long claimed that a relatively innocent America was unqualified to help solve Europe’s problems. For a thousand years, he said in October 1938, Europe had lived amid “age-old hates.” Wherever the boundaries of that continent were drawn, “some people will be separated from their ‘fatherlands.’” And five months later he said that “all European history is a treadmill of war for power and mastery.”¹⁰⁰ Even in September 1941, he was referring to “the eternal malign forces of Europe.”¹⁰¹

Yet, beginning in 1942, Hoover was full of suggestions concerning Europe, indeed the world in general. As I mentioned earlier, he coauthored *Problems of Lasting Peace*, and in many ways his wartime speeches and articles were elaborations of what was said in this work. As far as economic suggestions were concerned, they centered on the need to lower trade barriers. Here Hoover specifically spoke of the end of hostilities being immediately followed by the lifting of food blockades, instant relief to friend and foe alike, and a reduction of tariffs. In addition, the London Economic Conference of 1933 should be reconvened.¹⁰² When it came to the international state system, Hoover sought the general principle

of elective parliamentary government. At the same time, fearing a repetition of the chaos resulting after Versailles, Hoover wanted to make the independence of the small countries of central Europe contingent upon the lowering of economic barriers. Noting that for a hundred years irredentism was a source of war, he claimed that consideration should be given "to the heroic remedy of transfer of populations." Germany, he said, should not be dismembered; otherwise efforts of "this virile race" to reunite its nation would result in war. Seeking an end to reparations, he wrote, "We can have peace or we can have revenge, but we cannot have both."¹⁰³ Surplus populations should be channeled to underdeveloped regions, particularly Polynesia, South America, and Africa.¹⁰⁴

Hoover sought as well the reestablishment of neutral rights and the retention of wartime rules of the sea.¹⁰⁵ Disarmament had two aspects: total disarmament for enemy nations and immediate reduction of arms among the victors. At all costs, Hoover kept stressing, a general peace conference should be avoided. Far better to have a series of separate international commissions, each entrusted with such matters as international trade, boundaries, the government of "backward people," intergovernmental debts, war damages, and the building of international machinery. Using the commission method, "such assemblies as Versailles, with all its surroundings of emotion, propaganda, high pressure by groups, and log-rolling of governments can be avoided."¹⁰⁶

Aside from advancing such suggestions concerning peacemaking, Hoover spoke relatively little. He sought lenient peace terms for Italy and Japan.¹⁰⁷ He retained his suspicions of British power, and in particular, he suspected that England would use the war to dominate most of Africa below the Sahara.¹⁰⁸ At the same time, he feared that Britain was moving to "the extreme left."¹⁰⁹ Hoover was also apprehensive that the United States was involved in "economic imperialism" in the Near East.¹¹⁰ He endorsed a Pacific First strategy for fighting the war.¹¹¹

Hoover's great fears centered on the growing power of Russia. In 1943, he accused the Russians of deporting over 1.5 million Poles to concentration camps in Siberia, after which half had died of starvation.¹¹² In all the various conferences with the Russians, he said the United States had "appeased every time at the expense of the liberty and freedom of more and more human beings."¹¹³ He called upon Harry S. Truman, who became president in the middle of April 1945, to use American diplomatic and economic pressure to achieve free elections in Poland.¹¹⁴ A war with Russia, he told Truman, "meant the extinction of Western Civilization or what was left of it."¹¹⁵

As far as international organization was concerned, Hoover wanted each country to refer all disputes to arbitration, judicial settlement, or cooling-off periods, during which independent investigations would be conducted. Hopefully, provisions for peaceful change could be written into the body of international law.¹¹⁶ By 1943, Hoover—together with Hugh Gibson—envisioned two parts to international organization. The first involved a general world agency that would eventually

include all nations. The second, acting under this world institution, concerned separate councils of Europe, Asia, and the Western Hemisphere. The primary responsibility for peace would lie with these regional councils, who would command the international armed forces and settle controversies.¹¹⁷

The San Francisco conference to draft the United Nations Charter, said Hoover, was "the most fateful conference in all American History, one that might determine the future for the next hundred years."¹¹⁸ When the charter was drafted, Hoover called for its immediate ratification. Its major strength, he said, lay in its provisions for continuous meetings in which major problems could be aired. Other positive points included the reestablishment of the World Court, a trusteeship system for independent people, "limited action" to prevent military aggression, and machinery to promote social and economic welfare.¹¹⁹ While acknowledging that the new international organization could not liberate such captive nations as Poland, he hoped that it could serve as "a court to which they could appeal" and that it might give such countries "a chance for the future."¹²⁰

Yet Hoover was quite vocal in his criticism of the charter. It lacked a positive bill of rights and codification of principles.¹²¹ It needed a more elaborate regional machinery designed to prevent aggression.¹²² It contained unwise veto provisions.¹²³ Also missing were methods for revising outmoded treaties, possibly at ten-year intervals, a definition of aggression, and a commitment to reduce armies and navies. Hoover wanted "absolute disarmament" of the enemy powers and "relative disarmament of the victors; "maximum limits" should be set for armed forces in each nation.¹²⁴ He warned Congress not to part with its power to declare war.¹²⁵ Yet if Hoover was not totally sanguine, he said that the charter was the best one available.¹²⁶

During the immediate postwar years, Hoover kept stressing that it was the recovery of Germany that was crucial to the survival of western Europe. As early as October 1945, he opposed a vengeful peace. While not mentioning the Morgenthau Plan by name, he claimed that dividing Germany could only imperil the world. He went on to attack the forced labor of German prisoners of war, whom—he said—were being worked "under conditions reminiscent of Roman slavery."¹²⁷ Hoover's highly publicized trip to Germany, authorized by President Truman in February 1947, stressed that country's role as linchpin of Europe.¹²⁸

Hoover was less enthusiastic concerning aid to the rest of Europe. Beginning in 1946, he warned the United States against continuing its role of "Santa Claus."¹²⁹ In 1947, he opposed sending American military forces to Greece.¹³⁰ A year later, when publicist Bruce Barton sent Hoover one of his articles claiming that America had "bitten off more than it could chew," Hoover concurred. "You are right," he said. "I think we are headed for a nose-dive—and not too far off."¹³¹ In 1948, Hoover opposed the presidential nomination of Senator Vandenberg, recently a convert to internationalism. Were Vandenberg nominated, it "would be the greatest tragedy that could come to the Republican party."¹³²

The Marshall Plan received Hoover's backing, though the ex-president wanted the original proposal amended sharply.¹³³ In November 1947, after claiming that communism was becoming increasingly weaker in Europe, he called upon the United States to help other nations combat "their conspiracies."¹³⁴

All this time, Hoover was developing a military strategy. In February 1948, he called upon western Europe to form a regional defense alliance.¹³⁵ During the Berlin blockade, Hoover suggested a counterblockade of the Baltic and Black seas and an embargo by England, France, and the United States.¹³⁶ In June 1950, he combined a suspicion of military aid overseas with the belief that communism contained within itself the seeds of its own disintegration.¹³⁷

The Korean War, however, forced Hoover to focus upon military matters. On the last day of 1949, he had called for naval protection for the Chinese Nationalist government of Chiang Kai-shek, then fleeing to Formosa.¹³⁸ Once the conflict began, Hoover endorsed American military action. Declaring that the time for recrimination was over, he said, "To win we must have unity for action and purpose."¹³⁹ When, in the middle of October 1950, it looked as if General Douglas MacArthur could unite both North and South Korea, Hoover favored moving above the thirty-eighth parallel.¹⁴⁰ Yet, when the Chinese Communists threatened to overrun all Korea, he called for the withdrawal of all ground forces from both Europe and Asia. While referring to the American hemisphere as "this Gibraltar of Western Civilization," he called upon the United States to hold such "island nations" as Japan, Taiwan, and the Philippines (and Britain if it so desired), to encourage Japanese independence, and to rely upon sea and air defenses.¹⁴¹ The firing of MacArthur met with Hoover's strong opposition. Not only was the general "a reincarnation of St. Paul into a great general who has come out of the East."¹⁴² His strategy could have brought victory in the Korean conflict.¹⁴³

In all of his outlines of military policy, Hoover continually promoted air power. An air strategy served as an effective deterrent, preserved American solvency, and could ultimately save Europe if that continent was overrun by ground forces.¹⁴⁴ To Hoover it was sheer folly to send more infantry divisions to Europe. In addition, such orders violated the separation of powers. "The time has come," he said in March 1951, "for civilian control of the armed forces of the United States."¹⁴⁵

Yet while Hoover was often cautious concerning American commitments, he still made proposals concerning international organization. In April 1950, he called for reorganizing the United Nations without Communist nations.¹⁴⁶ However, in testifying before the Senate Foreign Relations Committee in 1955, he opposed American withdrawal or the expulsion of Russia. He claimed that the international body had "not fulfilled all our hopes"; at the same time, it had shown more vitality than the League and should not be abandoned.¹⁴⁷ In 1962, Hoover proposed a new global alliance based upon regional defense pacts and called the Council of Free Nations. Such a council would not replace the United Nations,

but would step in when the UN failed to preserve peace.¹⁴⁸ There were other suggestions as well. For example, although Hoover had been a major public voice for West German rehabilitation, he privately hoped that a disarmed and united Germany could serve as a buffer state between Russia and the West.¹⁴⁹

In 1952, Hoover supported his close friend and fellow anti-interventionist Robert A. Taft for the Republican presidential nomination. However, after the convention, Hoover backed the more interventionist candidacy of Dwight D. Eisenhower against Democrat Adlai E. Stevenson. He still retained his skepticism concerning the North Atlantic Treaty Organization.¹⁵⁰ Yet during the Eisenhower presidency, he often expressed a general optimism concerning international conditions.¹⁵¹ He endorsed the Eisenhower Doctrine of 1957, which pledged American support for Middle East countries repelling military aggression.¹⁵² When John Foster Dulles died in 1959, Hoover said, "We have lost our greatest Secretary of State."¹⁵³

During his last few years, Hoover's comments on foreign policy were infrequent. He called upon his countrymen to rally around Presidents Eisenhower and Kennedy during the various crises over Berlin.¹⁵⁴ He backed Kennedy in the Cuban crisis while opposing American support of United Nations action against Katanga province.¹⁵⁵ Along with other former presidents, he supported the test ban treaty of 1963.¹⁵⁶

In recent years, it has become somewhat fashionable to portray Hoover as a prophet, one who offered a penetrating critique of American globalism. The very anti-interventionism that appeared so shortsighted in the forties and fifties is seen as a source of strength in the seventies and eighties. Historian Joan Hoff Wilson claims that "there is much to be said" for "the alternative foreign policy" that Hoover espoused, a policy

not based on unlimited interventionism or the military suppression of revolutions based on communist ideology, but rather on disarmament and peaceful coexistence. . . . That such ideas were not endorsed by his successors in the White House cannot be blamed on Hoover. It simply has taken until the 1960s and 1970s for the most constructive aspects of what Will Irwin in 1928 called Hoover's "new way" to be appreciated.¹⁵⁷

Hoover reminded another historian, William Appleman Williams, of John Quincy Adams. To Williams, Hoover was merely updating Adam's famous Fourth of July Oration of 1821, in which the sixth president said:

America goes not abroad in search of monsters to destroy. . . . She might become the dictatress of the world; she would no longer be the ruler of her own spirit.

Williams can only add,

Herbert Clark and John Quincy: too bad they are gone. Spiro Agnew could spend the rest of his life chasing after them, screaming all the while that it was time to take care of those effete radical-liberal snobs who are undermining and destroying the nation and its rightful place in the world.¹⁵⁸

Many, of course, are gratified that Hoover's reputation is finally being upgraded, though the source of this upgrading can sometimes be surprising. Yet, if evaluation of the historical actor is dependent upon attitudes toward current policy, we are in a quandary indeed. Different headlines can again create different interpretations, and the stock of one's reputation can fluctuate as easily as any item on the Big Board. One can envision a time when many Americans will believe themselves threatened by forces overseas, and if this takes place, what we see in the 1980s as Hoover's wisdom could again appear as utmost folly. It is extremely difficult to find a usable past that retains its "usability" decade after decade.

Hence the responsibility of the historian is quite different. It is first to present Hoover's reaction to specific crises, second to show why he perceived events the way he did. For if Hoover has anything to say to us today, it does not lie in his specific reaction to the Japanese invasion of Manchuria, or to Hitler's expansion, or the Marshall Plan, or the Korean War. With a gift of 20/20 hindsight, even the strongest Hoover admirer could fault the ex-president on a number of positions, analyses, and predictions. Look, for example, at Hoover's endorsement of Munich in 1938, his prediction of an allied victory in 1939, his desire for a Japanese strike on Siberia in 1941, and his advocacy of MacArthur's risky strategy in 1951. In retrospect, Hoover greatly underrated Europe's ability to recover after World War II, and he showed himself far too skeptical concerning NATO. The fact that from 1949 to 1952, he appeared to endorse intervention in Asia while opposing it in Europe left him wide open to charges of inconsistency. Hoover's rhetoric could often be counterproductive, as shown by his frequent linking of the New Deal with totalitarianism. The whole policy of nonrecognition, of which he was particularly proud, smacks of a moralism that has often proven dangerous.

What is far more important is the way that Hoover at times could comment on the broader social forces he saw at work in the world. One should first note his initial reaction to Bolshevism. In a letter he wrote to President Wilson in March 1919, Hoover denied that the Bolshevik Revolution was rooted in conspiracy. He said, "It simply cannot be denied that this swing of the social pendulum from the tyranny of the extreme right to the tyranny of the extreme left is based on a foundation of real social grievance." To attempt to suppress this phenomenon by military intervention was the height of folly. Hoover continued, "We should probably be involved in years of police duty, and our first act would probably

in the nature of things make us a party with the Allies to re-establishing the reactionary classes.”¹⁵⁹

This leads to a second point, the relationship between revolution and war. The formal name of the Hoover Institution at Stanford—the Hoover Institution on War, Revolution and Peace—was not bestowed accidentally, as its founder saw war leading inevitably to revolution, with peace only coming afterwards. (When a representative of the Institution met with Leon Trotsky a year before the revolutionist was assassinated, Trotsky said, “A fine name. The war of capitalist imperialism, the social revolution rising out of the war, and the lasting peace that will follow.” The Institution representative replied, “I doubt if Mr. Hoover would approve of that interpretation.”)¹⁶⁰

Hoover saw war per se as the breeding ground of collectivism, whereas peace tended to nourish a free society. He said in 1939, “Personal liberty and free economic life are not built for modern war.”¹⁶¹ In any war, democracy becomes dictatorship, and the devastation spreads revolution.¹⁶² “The destruction, the miseries, the disillusionments and the moral degradation,” he said in 1942, provided the very soil upon which revolution thrived.¹⁶³ Hence Hoover was especially sensitive to the need for peaceful change within the international system, and to the establishment of vehicles by which this change could be fostered. Hence also Hoover sought to mitigate against the brutality of war by protecting noncombatants.

We now come to a third point. Given Hoover’s fundamental argument, that the Bolshevik Revolution reflected “blind gropings for better social conditions,” Hoover’s continual stress upon international relief makes excellent sense.¹⁶⁴ Hoover, the Quaker, was not simply acting as his religious faith demanded he must, that is, glorifying his Creator by charitable deeds or, to use the language of the early Society of Friends, “cultivating the inner plantation.” To Hoover, relief was not simply a matter of generosity. Rather it could launch a nation on the road to recovery. Only when people were neither hungry nor destitute could such institutions as representative government and personal liberties arise. Again, to use Quaker parlance, “the outer plantation” could be cultivated only in an environment harboring neither fear nor want.

There is a fourth point, one that centers on the very meaning of national defense. Hoover was far from being a pacifist. Particularly after 1938 he pushed rearmament, and after 1950 he was militant in promoting air and sea power, often to the exclusion of ground forces. However, he always insisted that, in the long run, the nation was best protected by a healthy and productive economy.

Hence, although Hoover has offered few solutions for contemporary problems, one can often draw from his writings something far more important: an approach to international relations that roots the cause of much revolution in injustice, that sees war itself as spreading revolution, that seeks to alleviate the consequences of both war and revolution by relief aimed at stabilizing a society, and that sees a healthy American economy as essential to the functioning of a healthy international order. Such insights are worth the study of any statesman.

NOTES

1. *New York Times*, 26 May, 1940, p. 15.
2. *Life*, 6 November 1939, p. 25.
3. Manfred Jonas, "Isolationism," in Alexander DeConde, ed., *Encyclopedia of American Foreign Policy: Studies of the Principal Movements and Ideas*, 3 vols. (New York: Scribner, 1978), vol. 2, p. 496.
4. Unknown biographer quoted in Paul A. Carter, *Another Part of the Twenties* (New York: Columbia University Press, 1977), p. 180.
5. David Burner, *Herbert Hoover: A Public Life* (New York: Knopf, 1979), pp. 81–82, 147–48.
6. Indeed, Hoover hoped that the nonrecognition policy would go down in history as the Hoover Doctrine, not the Stimson Doctrine. As historian Christopher Thorne wrote, such efforts to claim paternity merely proved that "the child was not yet as sickly as it was to appear when . . . many years had gone by." *The Limits of Foreign Policy: The West, the League and the Far Eastern Crisis of 1931–1933* (New York: Putnam, 1972), p. 351.
7. Commenting on a movement to cooperate with League sanctions, Hoover wrote an inquirer, "There are some matters on which I believe the Government should be trusted to defend the interest of the country rather than to leave it to voluntary association." H. Hoover to Mrs. Paul FitzSimmons, March 2, 1932, the Papers of Herbert Hoover, Herbert Hoover Presidential Library, West Branch, Iowa (hereafter cited as Hoover Papers). Secretary Stimson immediately concurred, although to read the memoirs of both Hoover and Stimson later, one would not think so. In April 1932, Stimson wrote columnist Walter Lippmann that he found himself "in full agreement" with Hoover's belief that a boycott would lead to a destructive war. However, and this was the real issue between the two men, Stimson wanted to frighten the Japanese in a way that Hoover did not. "A Word unspoken is a sword in your scabbard," he said, "while a word spoken is a sword in the hands of your adversary." Copy, H. L. Stimson to W. Lippmann, May 19, 1932, the Papers of Newton D. Baker, Library of Congress. Also see H. L. Stimson to Henry Prather Fletcher, February 27, 1932, the Papers of Henry L. Stimson, Yale University Library. One could claim that Hoover was naive in his belief that the Japanese would never be able to "Japanify China and if they stayed long enough they will be absorbed or expelled by the Chinese." Memorandum in Ray Lyman Wilbur and Arthur M. Hyde, *The Hoover Policies* (New York: Scribner, 1937), pp. 600–601. However, this attitude was shared by many opinion leaders. See chapter 4 of Justus D. Doenecke, *When the Wicked Rise: American Opinion-Makers and the Manchurian Crisis of 1931–1933* (Lewisburg, Pa.: Bucknell University Press, 1984). It was also shared by Secretary Stimson and President-elect Roosevelt, who discussed this matter. See the Diary of Henry L. Stimson, entry of January 17, 1933, Yale University Library.
8. See, for example, Selig Adler, *The Isolationist Impulse: Its Twentieth-Century Reaction* (New York: Abelard-Schuman, 1957); Manfred Jonas, *Isolationism in America, 1935–1941* (Ithaca, N.Y.: Cornell University Press, 1966); and Justus D. Doenecke, *Not to the Swift: The Old Isolationists in the Cold War Era* (Lewisburg, Pa.: Bucknell University Press, 1979).
9. Herbert Hoover and Hugh Gibson, *The Problems of Lasting Peace* (Garden City, N.Y.: Doubleday, 1942), pp. 9, 13, 15.
10. *Ibid.*, pp. 81, 109. Quotations from p. 109.
11. *Ibid.*, pp. 143–44. Hoover accused France of refusing in 1932 to cooperate in supporting representative government in Germany. *Ibid.*, p. 191. Hoover had long been quite negative concerning France. For example, after his trip to Europe in February and March of 1938, a close Hoover associate said, "The Chief saw the picture of Europe with France as the villain of the piece." See Perrin C. Galpin, "Through Europe with Mr. Hoover: February and March 1938," April 1938, p. 25, Hoover Papers. During the trip Hoover suspected that France would turn fascist at any time. See memorandum of E. Rickard, April 5, 1938, p. 1, Hoover Papers.
12. *Problems of Lasting Peace*, pp. 145, 164. Hoover was aware of Article XIX of the League Covenant, which provided for such change, but found it ineffective.

13. *New York Times*, 6 January 1938, p. 4. See also *ibid.*, 29 March 1938, p. 10. When Secretary of State Cordell Hull endorsed a new neutrality law, one that would have repealed the arms embargo and instituted cash and carry, Hoover found "plenty of sense" to the proposals. However, as the revisions permitted some presidential discretion, Hoover feared such powers in the hands of Roosevelt. See H. Hoover to John Callan O'Laughlin, July 18, 1939, Hoover-O'Laughlin correspondence, Hoover Institution on War, Revolution and Peace (hereinafter cited as O'Laughlin File). When the Senate turned down the proposal, Hoover saw an outbreak of "peace measles" in Europe. H. Hoover to J. C. O'Laughlin, July 25, 1939, O'Laughlin File.
14. *New York Times*, 1 April 1938, p. 4; *ibid.*, 3 December 1939, p. 1.
15. Address to Pennsylvania Society of New York, December 21, 1941, as reprinted in H. Hoover, *Addresses Upon the American Road, 1940-1941* (New York: Scribner, 1941) p. 56 (hereafter cited as *Addresses 1940-1941*).
16. *New York Times*, 18 May 1940, p. 8.
17. Pennsylvania Society address, p. 57. When, in September 1940, the Administration announced the exchange of fifty "over-age" destroyers for a ninety-nine year naval lease, Hoover was silent concerning the ships, but called the new naval and air bases "important contributions to our defense." Gary Dean Best, *Herbert Hoover: The Postpresidential Years, 1933-1964*, 2 vols. (Stanford, Calif.: Hoover Institution Press, 1983), p. 168.
18. On May 21, 1941, a German submarine attacked an unarmed merchant ship, the *Robin Moor*, traveling from New York to Capetown. While Hoover opposed an effort to build up the incident into a *casus belli*, he did say that Roosevelt was right to protest strongly. He did not see American trading rights at stake, but rather opposed "the brutal treatment of passengers and crew." Speech at Chicago, June 29, 1941, *Addresses, 1940-1941*, p. 97. See also H. Hoover to J. C. O'Laughlin, June 29, 1941, O'Laughlin File. On September 11, 1941, Roosevelt gave a Navy Day address, in which he claimed that Germany violated freedom of the seas. Hoover supported Roosevelt's "vigorous protest at firing upon American warships" as well as his protest at the sinking of American merchant ships without adequate protection for their crews. However, "edging our warships into danger zones" and "sending American merchant ships with contraband" were steps to war, taken without the approval of Congress. Speech at Chicago, September 16, 1941, *Addresses, 1940-1941*, pp. 105-6.
19. As early as September 1939, Hoover suggested that Lindbergh help form a nonpartisan organization to keep the nation out of war. See entry of September 21, 1939, *The Wartime Journals of Charles A. Lindbergh* (New York: Harcourt Brace Jovanovitch, 1970), p. 260 (hereafter cited as *Lindbergh Journals*). Hoover later begged off from joining the America First Committee, claiming that his own committee to feed occupied Europe had top priority. H. Hoover to R. Douglas Stuart, Jr., December 6, 1940, Hoover Papers. Yet he agreed to tap millionaire philanthropist Jeremiah Milbank for a contribution to America First. See H. Hoover to Robert E. Wood, July 11, 1941, *The Papers of the America First Committee*, Hoover Institution. Just after Pearl Harbor, R. Douglas Stuart, Jr., national director of America First, thanked Hoover for his frequent advice, to which Hoover replied that he had "been filled at all times with profound admiration for the battle" that the AFC had made. See R. Douglas Stuart, Jr., to H. Hoover, December 17, 1941; H. Hoover to R. Douglas Stuart, Jr., December 18, 1941, Hoover Papers. In the summer of 1941, Hoover was instrumental in drafting a public statement accusing the administration of fostering a "step-by-step projection of the United States into undeclared war." Such steps included naval action, military occupation of bases outside the Western hemisphere, and unauthorized aid to Russia. Aimed at attracting signers not affiliated with America First, it was fostered by former governor Alf Landon of Kansas, president Felix Morley of Haverford College, and president Robert M. Hutchins of the University of Chicago. See Donald R. McCoy, *Landon of Kansas* (Lincoln: University of Nebraska Press, 1966), pp. 471-73.
20. *New York Times*, 16 January 1938, p. 4.
21. *Ibid.*, 1 April 1938, p. 4.
22. Speech to the Forum on Current Problems, New York, October 26, 1938, as reprinted in *Further Addresses Upon the American Road, 1938-1940* (New York: Scribner, 1940), pp. 87, 90 (hereafter cited as *Addresses, 1938-1940*). While paying tribute to "heroic" Czechoslovakia

- and its "heroic" leader Beneš, he noted how the Munich agreement removed impediments to this eastward expansion and claimed that it gave Europe time to relieve underlying economic tensions. See p. 88. In a campaign speech given in October 1940, Hoover praised Roosevelt for his messages to European leaders during the Munich crisis, as these urged to belligerents to continue mediation. Hoover suggested that Roosevelt "or his agents" put pressure on the Western powers to sign the agreement, with minds changed only when "certain opinion" in the United States condemned the pact. Speech at Lincoln, Nebraska, October 31, 1940, *Addresses, 1940-1941*, p. 42. Hoover told *Newsweek* editor and former braintruster Raymond Moley of his conversation with Neville Chamberlain early in 1938. At that time Hoover said to the prime minister that Britain and France had no chance against Germany, which had a much more powerful war machine. Hoover claimed to have backed Chamberlain's actions at Munich and regretted that, in Moley's words, Chamberlain "got himself stampeded into a more belligerent attitude later." Much of the plight of Britain and France in mid-1940, Hoover said, was due to the rash and unwarranted encouragement they received from Roosevelt and from the American ambassadors. Entry of June 11, 1940, the Journal of Raymond Moley, the Papers of Raymond Moley, Hoover Institution (hereafter cited as Moley Journal).
23. *New York Times*, 9 March 1938, p. 1; 10 March 1938, p. 15. As far as positive accomplishments of the Nazi regime were concerned, Hoover pointed specifically to the marked increase in employment, housing, military strength, and general living standards. *Ibid.*, 1 April 1939, p. 4.
 24. Memorandum of E. Rickard, April 5, 1938, p. 2. Hoover Papers. Hoover later claimed that his negative comments concerning Hitler's regime had resulted in a hostile German press and that he had no doubt that he was on "their blacklist." H. Hoover to Percival C. Baxter, January 7, 1939, Hoover Papers.
 25. *Ibid.*, November 14, 1938, p. 6. Hoover claimed that if the German people were permitted to express themselves freely, they undoubtedly would not approve these acts.
 26. Speech to the Forum on Current Problems, New York, October 26, 1938, *Addresses, 1938-1940*, p. 86.
 27. Speech to Chicago Council on Foreign Relations, February 1, 1939, *Addresses, 1938-1940*, p. 99.
 28. "Foreign Policies Today," article in *Liberty Magazine*, April 15, 1939, as in *Addresses, 1938-1940*, p. 110.
 29. The two countries, said Hoover in April 1939, had three times the naval strength of the dictators; superior land fortifications; greater manpower, empires, and natural resources; and far more manufacturing and raw material reserves. *Ibid.*, p. 109. Furthermore, air warfare was so horrible that it had a sobering effect on the emotions of all countries. Speech to the Forum on Current Problems, New York, October 26, 1938, *Addresses, 1938-1940*, p. 88.
 30. Rickard memorandum, p. 3.
 31. *Ibid.*, p. 5.
 32. H. Hoover to J. C. O'Laughlin, May 28, 1939, July 18, 1939, O'Laughlin File.
 33. *New York Times*, 12 November 1938, p. 2.
 34. Another 25 percent, said Hoover, wanted German rule desperately, and the rest strongly demanded an autonomous nation. Rickard memorandum, p. 1.
 35. Herbert Hoover to Adolph Miller, February 10, 1939, Hoover Papers.
 36. H. Hoover to J. C. O'Laughlin, March 25, 1939, April 14, 1939, O'Laughlin File. See also Rickard memorandum, p. 5. Even when Hitler was about to invade Poland, Hoover thought that there was a chance of settlement. A note, sent by Hitler to French Premier Edouard Daladier, encouraged Hoover to believe that the Führer would compromise concerning the city of Danzig and some connection over the Polish corridor. He said, however, that the world understandably lacked confidence in Hitler since the seizure of Prague. H. Hoover to J. C. O'Laughlin, August 28, 1939, O'Laughlin File.
 37. On October 3, 1939, the *New York World-Telegram* ran Hoover's interview with publisher Roy Howard. Hoover said that unless the allies were stupid enough to launch an offensive, their weapons could defend France. True, air power was destructive, but as either side could use it effectively, it could not determine the outcome. Moreover, improved anti-aircraft guns could offset any possible German superiority. As submarines were less dangerous than in World War I, the allies could retain control of the seas. Calling upon Americans to "keep cool,"

he predicted that in time the allied blockade was bound to be effective. Indeed the allies could "sit there until their enemies were exhausted." Hoover found Germany in great danger economically, as it lacked the raw materials needed to maintain a long war. Here Hoover mentioned fats, fuels, iron ore, rubber, cotton, wood, copper, tin, and nickel. Neither Russia nor Central Europe could supply Germany with such items, and Germany did not have the credits to buy them from neutrals. *New York Times*, 4 October 1939, p. 12. See also entry of October 2, 1939, *Lindbergh Journals*, p. 267.

38. In July 1939, Hoover sought to establish certain rules of war before a major conflagration began. A commission of neutrals would administer the food shipments, while other neutrals would publicize any bombing of civilian populations. Public opinion alone, acting within the neutral states, would enforce the plan. Yet he claimed that his scheme had real power, for no belligerent would feel it could afford to alienate countries that controlled credit and supplies. Speech to International Convention of Christian Endeavor Societies, Cleveland, Ohio, July 6, 1939, *Addresses, 1938-1940*, p. 135.
39. *New York Times*, 16 September 1939, p. 9.
40. *Ibid.*, 28 September 1939, p. 6. On September 16, Roosevelt had expressed interest in the idea, sounding out Hull after receiving word from Joseph Moscicki, president of Poland, that Germany had bombed Polish open towns. *The Memoirs of Cordell Hull*, 2 vols. (New York: Macmillan, 1948), vol. 1, p. 678.
41. H. Hoover to J. C. O'Laughlin, September 4, 1939, O'Laughlin File. Hoover privately saw "grave dangers" in either retaining or repealing the embargo. H. Hoover to William R. Castle, September 14, 1939, the Papers of William R. Castle, Herbert Hoover Presidential Library. With an eye to politics, Hoover suggested that the Republicans assist Roosevelt in repealing the embargo while claiming as much credit as possible. Entry of September 15, 1939, the Diary of William R. Castle, Houghton Library, Harvard University (hereafter cited as Castle Diary).
42. On October 10, Hoover made a proposal that, in some ways, went back to his proposal, first advanced in June 1932, at the Geneva Disarmament Conference. Hoover called for prohibiting any sale of "offensive" weapons, including bombing planes, ammunition for these planes, poison gas, and submarines. On the other hand, such "defensive weapons" as pursuit planes, light observation planes, and antiaircraft guns could be sold. Statement entered by Arthur H. Vandenberg, *Congressional Record*, October 12, 1939, p. 320. Within a week, Charles A. Lindbergh, who had been in touch with Hoover over the matter, advanced a similar proposal. Interventionists attacked the plan on the grounds that such distinctions were outmoded, and even such an anti-interventionist as Borah wondered how such a plan could be enforced. *New York Times*, 12 October 1939, p. 16. In an effort to head off further criticism, Hoover gave a radio speech in which he denied that he was proposing dividing every kind of weapon into offensive and defensive categories. Rather he merely sought to ban weapons that "kill unarmed men, women, and children and destroy their homes." Speech of October 21, 1939, *Congressional Record*, p. A497-98. Although Hoover saw no immediate prospects for its adoption, he was pleased with the public response to his proposal and predicted that in six months it could get significant backing. H. Hoover to J. C. O'Laughlin, October 23, 1939, O'Laughlin File.
43. *New York Times*, 26 October 1939, p. 12.
44. According to Lindbergh, Hoover told British Foreign Secretary Lord Halifax that the only way to avoid a European war was to permit German economic expansion in central Europe. Entry of September 21, 1939, *Lindbergh Journals*, p. 260.
45. Once Poland was invaded, Hoover offered his services for Polish relief. On September 25, 1939, at the direct request of Poland's prime minister and the Polish ambassador to the United States, Hoover became honorary chairman of the Commission for the Relief of Poland. The organization had many old relief aides as officers. Hoover spoke several times on behalf of Polish relief and testified before a special hearing of the House Committee on Foreign Affairs. The British, however, insisted on maintaining their blockade and were supported by the Polish government-in-exile. Only minor supplies were able to reach Poland. See George J. Lerski, ed., *Herbert Hoover and Poland: A Documentary History of a Friendship* (Stanford, Calif.: Hoover Institution Press, 1977), pp. 42-46; copy, H. Hoover to Jan Ciechanowski, April 23, 1941, Castle Papers.

46. By March 11, 1940, Hoover had raised \$2.5 million. Even after the war ended on March 12, Hoover called for aid to that destitute land and maintained his interest in Finland. For example, on November 3, 1941, Hull issued a statement declaring that the Finns, who were back at war with Russia, had ignored possibilities of peace in August. Moreover, said Hull, the United States had repeatedly warned them that Hitler confronted them with ultimate subjugation and that recently the United States had called upon them to withdraw their troops from Soviet territory or lose American friendship. William L. Langer and S. Everett Gleason, *The Undeclared War, 1940–1941* (New York: Harper, 1953), p. 832. Hoover opposed such pressure upon the Finns. Claiming that Finland had surrendered one-third of its land to Russia, and had seen 600,000 countrymen driven from their homes, he asked, "Has America lost all sense of humane and moral proportions?" *New York Times*, 5 November 1941, p. 11. In March 1944, Finland was facing defeat at the hands of Russia. Hoover called upon the United States to use its good offices to stop the conflict. Declaring that Finland's aspirations were democratic, Hoover asserted that Finland either had to join the Axis or face the same kind of German "rape" that Belgium experienced. *Ibid.*, 25 March 1944, p. 2.
47. A close friend and former State Department official, William R. Castle, gently chided Hoover for this proposal. While Castle agreed with Hoover on the perfidious nature of the Soviet regime, he claimed that the move was an improper use of diplomatic instruments, might harm needed American representation, and could lead to war. Hoover replied that the "theoretically" agreed, but "if we are going to pursue a course of conduct towards Germany, Mr. Roosevelt ought to take responsibility for his friendly leanings towards the Communists." W. R. Castle to H. Hoover, December 7, 1939; H. Hoover to W. R. Castle, December 11, 1939, Castle Papers. In an article for *Collier's* magazine dated April 27, 1940, Hoover said that diplomatic recognition was "a sign that we believe they are respectable members of the family of nations." "More than a reestablishment of legalistic or trade relations," he went on, it gave a government the "right of entry into our homes" and "a recommendation to our neighbors." He asserted that he sought no intervention in Russia's internal affairs, much less any war. He denied that Communists could create a revolution within the United States. Yet he noted that an indignant people, fearful of "Communist sabotage of national life and poisoning the wells of liberty," might either take lawless vigilante action or go fascist, suppressing Communists by "cruelty and violence." "Russian Midadventure," article in *Collier's*, April 27, 1940, as in *Addresses, 1938–1940*, p. 159.
48. Late in May 1940, Hoover challenged Roosevelt's statement that Omaha, Des Moines, and New York could be attacked by air bases in the Western Hemisphere. To operate such a base, an enemy would first have to capture the territory, then fortify that base. This involved transporting thousands of planes and hundreds of thousands of troops past a fleet as strong as the combined fleets of Europe, omitting the British. Address in New York, May 27, 1940, *Addresses, 1940–1941*, pp. 8–9. In October, Hoover was even more specific. He denied that any combination of dictators could invade the United States with less than 10 million men. In addition, 22 million tons of ships would be needed, which was over twice the seagoing craft in their possession. Even if Japan and Germany were not fighting major wars, it would take three years to build enough of them. Once such a giant flotilla of 500 ships got out to sea, it would be subject to American air attack. Speech at Lincoln, Nebraska, October 31, 1940, *Addresses, 1940–1941*, pp. 44–45.
49. Hoover also called for a skeletonized but more flexible navy and for large additions of skilled personnel in reserves, air pilots, tank drivers, and gunners. Speech at New York, May 27, 1940, *Addresses, 1940–1941*, p. 8.
50. The Belgian capitulation, made on May 28, 1940, created a wide gap on the northeastern flank and forced the British and French back on the beaches of Dunkirk. Hoover claimed that the allies were unable to aid Belgium, that Leopold had sustained heavy losses in protecting the retreat of the allies, and that the king saw "no further benefit to the Allied cause could be gained by the annihilation of his remaining troops and the massacre of a vast number of refugees." To Hoover, Leopold "acted loyally and with immense sacrifice." Statement on the surrender of the Belgian army, October 22, 1940, *Addresses, 1940–1941*, p. 33.
51. H. Hoover to J. C. O'Laughlin, July 8, 1940, O'Laughlin File.

52. *Ibid.*, August 15, 1940, O'Laughlin File.
53. In a conversation with Joseph P. Kennedy, American ambassador to Great Britain, Hoover stressed that neither side was able to invade the other, that Germany had enough food and materials to withstand any British blockade, and that both sides had enough planes to continue night bombing, a tactic that "would gradually reduce their cities to rubble heaps." Hoover claimed that the British possessed the "racial spirit and resolution" to hold out against conquest. Even if Germany and Italy drove the British out of North Africa, the war would not end. Memorandum, conversation with Joseph P. Kennedy, November 22, 1940, Hoover Papers.
54. Even when Assistant Secretary of State Sumner Welles made his trip to Europe in February 1940, Hoover saw no peace effort in the offing. Moreover, he said that "intervention of any kind is more likely to aggravate the situation than to improve it." H. Hoover to J. C. O'Laughlin, February 18, 1940, O'Laughlin File. Civilian hatreds, Hoover feared over a year later, were bound to be so fierce that no statesman could produce the necessary compromises. He wrote, "It is likely to be a twenty years war, for it can only be ended by exhaustion and revolution." H. Hoover to J. C. O'Laughlin, March 9, 1941, O'Laughlin File. See also H. Hoover to Walter Lippmann, April 3, 1941, Hoover Papers. When, in November 1941, advertising executive Chester Bowles outlined a detailed plan for a negotiated peace, Hoover saw no immediate possibility of its implementation. However, he told Bowles that the schema might be used before the winter was over. C. Bowles to H. Hoover, November 28, 1941; H. Hoover to C. Bowles, November 29, 1941, Hoover Papers.
55. Speech at Lincoln, Nebraska, October 31, 1940, *Addresses, 1940-1941*, p. 50.
56. Press statement, "Starvation in the Occupied Democracies," August 11, 1940, *ibid.*, pp. 117-18. Hoover found the dependence of various nations upon food exports as follows: Belgium, 60-70%; Holland, 30-40%; Norway, 20-30%; Central Poland, 30%; France, 15%.
57. Reply to a Statement of British Refusal to Allow Relief of the Invaded Democracies, October 6, 1940, *ibid.*, pp. 119-20. According to one source close to Hoover, the ex-president did not expect to direct the feeding effort personally. He was quite willing to turn it over to the Red Cross or anyone the president might designate. W. R. Castle to Peter G. Gerry, April 7, 1941, Castle Papers. In conversation with Secretary of State Cordell Hull, Hoover claimed that "some Administration people" had told representatives of the small democracies that "they would get further with the food relief if I were eliminated." Hoover said that, if necessary, he would gladly step aside. Hull denied the accusation. Memorandum of conversation with Cordell Hull, February 28, 1941, p. 6, Hoover Papers. At first Hoover thought that even if the British allowed food through their blockade, the Germans would have refused and would thereby have borne the onus for starving Europe. Entry at August 21, 1940, Castle Diary.
58. Memorandum, conversation with Cordell Hull, February 28, 1941, p. 5, Hoover Papers. By the time Hoover felt assured of Germany cooperation. Entry of February 28, 1941, Castle Diary.
59. Entry of August 12, 1940, Anne Morrow Lindbergh, *War Within and Without: Diaries and Letters, 1939-1944* (New York: Harcourt Brace Jovanovich, 1980), p. 136; entry of August 12, 1940, *Lindbergh Journals*, p. 378.
60. In a most revealing letter, Hoover outlined his early strategy. The feeding of these people, he said in August 1940, could make no difference in the outcome of the war. Had the British adopted Hoover's proposal, the Germans "in their present arrogant mood would have unquestionably refused the whole thing." The moral responsibility quite correctly would have fallen on the Germans, "where of course it belongs." At that point, public opinion pressures could work on the Germans, who eventually would have had to accept Hoover's plans or provide some relief themselves. Copy, H. Hoover to Raymond Graham Swing, August 19, 1940, Castle Papers. For Hoover's views of his differences with the British, see memorandum of his conversation with Sir Gerald Campbell, March 26, 1941, Hoover Papers. Campbell, British minister to the United States, pointed to a thousand Britons killed daily as justification for the blockade. Hoover replied that he "could see no reason why the death of British children required also the death of Belgian and Dutch children—their own Allies."
61. The Germans, Hoover said, would not get the food, for the stock would not exceed 140,000 tons and the German nation consumed about 1.4 million tons a month. Were the Germans to seize such food, they would only get a three days' supply. Hoover denied that such a plan would destroy the British blockade, for a blockade—properly understood—was not the pro-

- hibition of all ships, but "a notification that traffic cannot pass except by permission." The British themselves permitted food ships to pass through their blockade to Spain. Speech at Poughkeepsie, New York, November 15, 1940, *Addresses, 1940-1941*, p. 128.
62. "When Winter Comes to Europe," article in *Collier's*, November 23, 1940, as in *Addresses, 1940-1941*, p. 144.
 63. *Time*, February 24, 1941, p. 18.
 64. Early in January, Hoover told journalist William Henry Chamberlin that he anticipated famine in Belgium. Norway, he said, was in the next serious condition. Entry of January 10, 1941, the Diary of William Henry Chamberlain, Providence College, Providence, R.I. In January 1941, the Belgian government-in-exile approved Hoover's plan, which would have involved soup kitchens for 1 million Belgian adults and 2 million children; German supplying of 1 million bushels of bread grains per month; and the supply of 20,000 tons of fats and soup materials from Hoover's committee. The Germans agreed to Hoover's proposal. They shipped some 800,000 bushels of bread grains into Belgium and were prepared to ship some 3.2 million more. The British refused to cooperate, insisting that their blockade remain intact. See "A Reply to British Refusal to Permit Relief," March 10, 1941, pp. 158-59. In challenging the British, Hoover made a number of claims, each one an effort to answer British objections. He declared that no food would go directly or indirectly to the Germans, who would find their own food supplies reduced by aiding Belgium. In fact, the plan would increase German transportation burdens. The program would be terminated immediately if the Germans violated the agreement. It would not be furnishing food to people working for the Germans, as it was limited to children and the destitute. *Ibid.*, p. 159. See also Hoover letter to (London) *Times*, April 16, 1941; copy, H. Hoover to Cordell Hull, April 24, 1941; copy, Cordell Hull to H. Hoover, May 10, 1941, Castle Papers.
 65. By November 1941, a petition endorsing Hoover's plan was supported by 54 senators and 212 congressmen, including such interventionists as Elmer Thomas of Oklahoma, John H. Bankhead of Alabama, and Walter F. George of Georgia. Another ninety-six congressmen told Hoover's committee that they would support the resolution when it reached the House floor. Raymond S. Richmond to Edwin C. Johnson, November 27, 1941, the Papers of the National Committee on Food for the Small Democracies, Hoover Institution (hereafter cited as NCFSD Papers). Senator Vandenberg consistently tried to have the Senate Foreign Relations Committee hold hearings on the proposal, but he was not successful. See A. H. Vandenberg to R. S. Richmond, July 17, 1941, September 15, 1941, NCFSD Papers. Hoover's Committee, however, opposed hearings on the grounds that opponents of the plan would use them as a forum for their views, while proplan arguments would go unnoticed. Far better hopefully to have it brought out of committee and on to the House floor. This maneuver would have been quite unorthodox. Yet, if the plan's advocates were successful, a full debate could bring about adoption of the proplan resolution by a handsome majority. R. S. Richmond to William B. Barry, November 16, 1941, NCFSD Papers.
 66. Address at University of Pennsylvania Bicentennial Celebration, Philadelphia, September 18, 1940, *Addresses, 1940-1941*, pp. 16-18.
 67. *Ibid.*, pp. 20-25. Quotation from p. 22. Hoover claimed that the United States was 93 percent self-sufficient. While he did "not relish it," the country—if necessary—could be 97 percent self-contained. "And the cost of it," he said, "would be less over twenty years than one year of war." Speech at Chicago, June 29, 1941, *Addresses, 1940-1941*, pp. 96-97.
 68. Entry of June 11, 1940, Moley Journal.
 69. Speech at New Haven, March 28, 1941, *Addresses, 1940-1941*, p. 71; speech at New York, May 11, 1941, p. 85; speech at Chicago, June 29, 1941, p. 99.
 70. *New York Times*, 16 January 1938, p. 4. By the end of 1940, Hoover was a bit more optimistic. When Kennedy feared that American entry into the war would force it permanently into National Socialism, Hoover differed. He said that the United States could survive, though it might mean a lower living standard, as a democracy. Memorandum, conversation with Joseph P. Kennedy, November 22, 1940, Hoover Papers. Hoover predicted that even if the British won, they could not remain a democracy. H. Hoover to Edmond E. Lincoln, August 5, 1940, Hoover Papers.

71. *New York Times*, 11 January 1941, p. 4. See also H. Hoover to Sol Bloom, January 15, 1941, *Addresses, 1940-1941*, pp. 63-65. Hoover called lend-lease "a war bill" that "surrenders to the President the power to make war." However, he endorsed giving Britain all defense material that America could spare. He also favored granting Britain an appropriation of \$2-\$3 billion to buy defense goods. H. Hoover to W. R. Castle, March 1, and 5, 1941, Castle Papers. Once the lend-lease program was adopted, Hoover urged his countrymen to "unite in making a good job of it." Speech at New Haven, March 28, 1941, *Addresses, 1940-1941*, p. 66.
72. If convoys were to be effective—so Hoover argued—the American navy must attack German submarines, ships, and planes. The United States would have to expand its naval and air bases abroad and equip these bases with expeditionary forces. "And that," he said, "is war for long years to come." Speech at New York, May 11, 1941, *Addresses, 1940-1941*, p. 78. In commenting on various naval incidents in the fall of 1941, Hoover claimed that the *Greer* was the aggressor and that the *Kearny* was actually convoying British ships. H. Hoover to Edwin M. Borchard, October 29, 1941, the Papers of Edwin M. Borchard, Yale University Library.
73. In April 1941, Hoover said that Britain had lost western Europe and the Balkans, one-third of its merchant fleet, and up to half its port capacity. Its cities were being destroyed. Moreover, its blockade was not weakening Germany, whose air fleet was stronger than ever. American aid, the capture of Ethiopia, and large-scale destruction of German and Italian navies could hardly compensate for such handicaps. H. Hoover to J. C. O'Laughlin, April 20, 1941, O'Laughlin File. In May Hoover said that the British blockade could not starve the German people or cut off vital raw materials. Neither country could invade the other. The war, he predicted, would increasingly center on nighttime bombing, with Hitler having to fly one-third the distance that Britain must. Speech at New York, May 11, 1941, *Addresses, 1940-1941*, pp. 80-81.
74. Were the United States to join the conflict, Hoover argued in May 1941, it would take ten years to build the 40 million tons of ships needed to invade Germany. America lacked 300,000 sufficiently equipped men needed to fight an equal number of Germans, much less fight the 5 million men under Hitler's command. Furthermore, if the United States went to war in the Atlantic, Japan would act in such a dangerous fashion that America would have to divert its energies to strengthening its Pacific defenses. Speech at New York, May 11, 1941, *Addresses, 1940-1941*, pp. 81-82.
75. *Ibid.*, p. 83.
76. Late in June 1941, Hoover denied that Britain had lost. It had not given up a square yard of its empire, had managed to maintain an extraordinary portion of its exports of manufactured goods, and still drew a large part of its food supplies from Latin America. Speech at Chicago, June 29, 1941, *Addresses, 1940-1941*, p. 90. Hitler's invasions had won him "the undying hate of two-thirds of the people under his control." Although these people could not launch an armed revolt against tanks and planes, they would "never accept a new order based on slavery." Hoover continued, "Conquest always dies of indigestion." *Ibid.*, p. 96. In September, Hoover said that the 200 million people subject to Hitler hated him. If Hitler occupied all Russia, he would only be adding 150 million more enemies. Speech at Chicago, September 16, 1941, *Addresses, 1940-1941*, p. 104.
77. Memorandum, conversation with Cordell Hull, February 28, 1941, p. 7, Hoover Papers.
78. H. Hoover to J. C. O'Laughlin, June 26, 1941, O'Laughlin File. Early in July 1941, Hoover claimed that Russia had never won a European war on the battlefield, as it possessed little war capacity or organization, much less generalship. However, Hitler would need a million men just to garrison the occupied land. H. Hoover to J. C. O'Laughlin, July 7, 1941, O'Laughlin File.
79. Speech in Chicago, June 29, 1941, *Addresses, 1940-1941*, p. 93.
80. H. Hoover to Alfred M. Landon, November 29, 1941, Hoover Papers. Early in November, Hoover feared that the United States would send armored divisions to Persia, there to aid the British Indian army supply the Russians. H. Hoover to Alfred M. Landon, November 1, 1941, Hoover Papers.
81. H. Hoover to J. C. O'Laughlin, June 26, 1941, O'Laughlin File.
82. Address to Annual Meeting of York Bible Class, Toronto, November 22, 1938, *Addresses, 1940-1941*, p. 185.

83. H. Hoover to J. C. O'Laughlin, July 31, 1939, O'Laughlin File.
84. *Ibid.*, August 5, 1940, O'Laughlin File.
85. *Ibid.*, August 3, 1941, O'Laughlin File.
86. *Ibid.*, October 19, 1941, O'Laughlin File.
87. Speech at Chicago, June 29, 1941, *Addresses, 1940-1941*, p. 101; H. Hoover to J. C. O'Laughlin, September 6, 1941, O'Laughlin File. The United States, Hoover said, should trade a Japanese withdrawal from territory south of the Great Wall for this "vast unpopulated area into which to expand." A month later, Hoover returned to the theme. Far better for Japan to dominate Vladivostok, which could protect Japan's flank against Russian threats, than for Germany to conquer it and use it as a submarine and air base against American commerce. H. Hoover to J. C. O'Laughlin, October 19, 1941, O'Laughlin File.
88. *New York Times*, 9 December 1941, p. 44.
89. H. Hoover to W. R. Castle, December 8, 1941, Castle Papers. See also H. Hoover to Robert A. Taft, December 8, 1941, the Papers of Robert A. Taft, Library of Congress.
90. H. Hoover to Frank R. McCoy, December 17, 1941, Hoover Papers.
91. H. Hoover to Boake Carter, December 11, 1941, Hoover Papers. See also H. Hoover to R. Douglas Stuart, Jr., December 18, 1941, Hoover Papers.
92. H. Hoover to James B. Howell, December 26, 1941, Hoover Papers.
93. H. Hoover to John C. O'Laughlin, March 10, 1942, March 24, 1942, Hoover Papers. (Note that here and henceforth I am usually citing the Hoover-O'Laughlin correspondence located in Hoover Presidential Library, West Branch, Iowa, not that in the Hoover Institution at Stanford).
94. H. Hoover to John C. O'Laughlin, July 14, 1942, Hoover Papers.
95. H. Hoover to John C. O'Laughlin, December 31, 1941, O'Laughlin File.
96. When, in 1950, historian Harry Elmer Barnes sent Hoover a revisionist pamphlet, Hoover endorsed Barnes's position. H. Hoover to H. E. Barnes, July 19, 1950, Hoover Papers. For examples of Hoover's effort to promote the career of revisionist historian Charles Callan Tansill, see H. Hoover to L. Quincy Mumford, August 30, 1957; H. Hoover to Kenneth Templeton, June 17, 1958, Hoover Papers.
97. H. Hoover to John C. O'Laughlin, March 25, 1939, O'Laughlin File; H. Hoover to W. C. Castle, November 16, 1945, Castle Papers.
98. H. Hoover to John T. Flynn, December 21, 1946, the Papers of John T. Flynn, University of Oregon Library.
99. Address to the Forum on Current Problems, New York, October 26, 1938, *Addresses, 1938-1940*, p. 89.
100. "Foreign Policies Today," article in *Library Magazine*, April 15, 1939, as in *Addresses, 1938-1940*, p. 113.
101. Speech at Chicago, September 16, 1941, *Addresses, 1940-1941*, p. 109.
102. Hoover and Gibson, *Problems*, pp. 206, 211, 218, 215. Hoover found demands for access to raw materials, a matter usually emphasized in peace proposals, exaggerated. Countries could always receive raw materials by trading in goods needed by others. In addition, synthetics were often available. See p. 219.
103. *Ibid.*, pp. 203, 278, 232-33. Quotation is from p. 248.
104. *Ibid.*, pp. 232, 236. In addressing himself to the specific topic of Jewish refugees, Hoover claimed that older, more fully settled areas no longer possessed the land or economic opportunities needed for immigrants. Even Palestine could absorb only a small part of the 3 or 4 million Jews needing relief. It was, Hoover suggested, the rich uplands of central Africa that would be ideal for resettlement. According to a leading Zionist, Hoover once suggested the transfer of Palestinian Arabs to Iraq, which would be irrigated to provide fertile fields for them. See letter to Elish'a M. Friedman to *New York Times*, 14 December 1945, IV, p. 8. For debate over the plan, see *ibid.*, 16 December 1945, IV, p. 8; 24 December 1945, p. 14; 6 January 1946, IV, p. 8; 13 January 1946, IV, p. 8. Hoover was silent over the whole matter, neither affirming nor denying that he was the author of this proposal.
105. Hoover and Gibson, *Problems*, p. 224. Hoover found freedom of the seas an overestimated issue. There had, he said, been no interference with the free peacetime movement of merchant ships for over a century. See p. 223.

106. *Ibid.*, pp. 278–79. See also speech to Executives Club of Chicago, *New York Times*, 17 December 1942, p. 4. Hoover later modified his stand, saying that a general peace conference could be called after a cooling-off period. He warned that American veterans, returning to war-weary homes, were bound to possess a spirit of nationalism, isolationism, and prejudice. A cooling-off period would permit this inevitable climate to pass. A hundred problems, he said, must be settled for an international agency to have a chance. He told the Foreign Policy Association of Minneapolis, “It was six years from the victory at Yorktown to the Constitution of the United States and it was time well spent.” *New York Times*, 4 September 1943, pp. 1, 4.
107. For Italy, see *New York Times*, 9 September 1943, p. 6. For Japan, see memorandum, conversation with Harry S. Truman, May 28, 1945, and memorandum, conversation with Joseph P. Kennedy, May 15, 1945, Hoover Papers. Meeting with President Truman on May 28, Hoover suggested an allied declaration, to be made with the British and possibly the Chinese, concerning objectives in the Far East. The declaration would call for the restoration of Manchuria to China, unconditional surrender of Japanese military forces, complete disarmament of Japan for thirty to forty years, and American trials of those Japanese who “violated the rules of civilized warfare.” The allies should commit themselves to retaining the Japanese form of government and should look to the eventual return of a prosperous Japan to the family of nations. They should indicate that Japan could keep Korea and Formosa. Korea, Hoover went on, saw its government much improved when Japan took that nation over. Furthermore, the United States had a treaty with Japan acknowledging its sovereignty over Korea. Hence legally there was no basis for its separation. The Formosans did not spring from the Chinese any more than they did from the Japanese. Therefore, China had no particular moral right to that territory.
108. H. Hoover to John C. O’Laughlin, January 24, 1943, Hoover Papers. Hoover was highly critical of Walter Lippmann’s *U.S. Foreign Policy: Shield of the Republic* (1943). Lippmann, he said, was wrong in asserting that Britain had been an American ally for the past 120 years. The columnist in fact belonged to “a great class developing in the United States would see our reentry into the British Empire.” H. Hoover to J. Reuben Clark, October 6, 1943, Hoover Papers.
109. Memorandum, conversation with Lord Halifax, January 8, 1943, p. 2, Hoover Papers.
110. H. Hoover to John C. O’Laughlin, April 10, 1944, Hoover Papers.
111. *Ibid.*, April 25, 1943, Hoover Papers.
112. *Ibid.*, May 9, 1943. Referring to what later became known as the Katyn massacre, Hoover stated that Stalin killed 10,000 Polish officers.
113. H. Hoover to John C. O’Laughlin, December 31, 1945, Hoover Papers.
114. *New York Times*, 19 March 1945, p. 13. When Hoover had first heard of the Yalta agreement, he had been quite optimistic. Offering impromptu remarks at a Lincoln Day dinner, Hoover declared that if the promises and ideals embodied in the agreement were carried out, “it comprises a strong foundation on which to rebuilt the world.” *Ibid.*, February 13, 1945, p. 1.
115. Memorandum, conversation with Harry S. Truman, May 28, 1945, Hoover Papers.
116. Hoover and Gibson, *Problems*, p. 251.
117. *New York Times Magazine*, 4 April 1943, pp. 5, 37, 38. Both Hoover and Gibson expressed pleasure that Britain’s Prime Minister Winston Churchill appeared, in a speech given on March 3, 1943, to be talking along similar lines. Europe’s longest period of peace, the two men said in a joint statement, came during the hundred years that the Concert of Europe led the continent. *New York Times*, 23 March 1943, p. 4.
118. *New York Times*, 25 March 1945, p. 21.
119. *Ibid.*, 19 July 1945, pp. 1, 14.
120. H. Hoover to Alfred M. Landon, February 18, 1945, Hoover Papers. See also *New York Times*, 27 March 1945, p. 11. For pessimism concerning Poland in particular, see H. Hoover to W. R. Castle, February 18, 1945, Castle Papers.
121. Included would be no aggrandizement or annexations; no territorial changes not in accord with the peoples concerned; the right to all peoples to free elections; equality in trade; freedom of the seas in peacetime; disarmament of aggressor nations; arms reductions in all nations; and the renunciation of war as an instrument of national policy. Among the human rights Hoover listed were fair trial before execution or imprisonment; no compulsory labor or slavery; protection to minorities and “backward peoples”; and freedom of the press and religion. By incor-

- porating such tenets in the charter, Hoover claimed that the Security Council would have a standard of conduct upon which to make decisions. *New York Times*, 25 March 1945, p. 13.
122. In pushing his favorite theme of regionalism, he claimed that such a device would give smaller nations a greater voice and would relieve the new organization of its image as a military alliance of a few great powers. It would recognize that policies needed to prevent conflict differed with the region, and it would permit the Security Council to be relieved of many problems before they reached it. In particular, the United States, and probably most other nations as well, would be relieved that they were not constantly involved in problems everywhere. *New York Times*, 27 March 1945, p. 11.
 123. The Security Council veto, Hoover maintained, practically put the great military powers out of reach. He wrote, "World wars are not started by small nations." Indeed, the veto made the new world organization as weak as the League. *New York Times*, 18 April 1945, p. 17.
 124. On revising outmoded treaties, see *ibid.*, 25 March 1945, p. 21. On defining aggression, see *ibid.*, 19 July 1945, p. 14. On disarmament, see *ibid.*, 25 March 1945, p. 21. Hoover devoted much thought to the question of atomic controls. In public, he suggested that dropping the atomic bomb on Japan might have been necessary, but he expressed dismay over American apathy concerning the killing of "tens of thousands of women and children." *New York Times*, 14 October 1945, p. 17. Hoover privately told atomic scientist Niels Bohr that he considered the dropping of the bomb a crime. See entry of November 6, 1946, in Joseph P. Lash, ed., *From the Diaries of Felix Frankfurter* (New York: Norton, 1975), p. 290. In September 1945, Hoover called upon the United States and Britain to retain their atomic monopoly pending the time when controls could be devised. He suggested that the Security Council could control uranium ores by placing resident inspectors in each country possessing this resource. *New York Times*, 28 September 1945, p. 3. By August 1946, he was more cautious, declaring that America should hold on to the atomic bomb until there was general disarmament in the world. He said, "We should be willing to agree that it will never be used except in defense of free men." See *New York Times*, 13 August 1946, p. 3.
 125. *New York Times*, 19 July 1945, pp. 1, 14. When Congress approved the charter, Hoover said that provision should be made for delegating the authority to use American forces to the president rather than to the Security Council. The president should be bound to submit the question to Congress if a majority of the House and Senate foreign policy committees favored such a course. *Ibid.*, 25 March 1945, p. 21.
 126. *Ibid.*, 19 July 1945, p. 1.
 127. *Ibid.*, 14 October 1945, p. 17.
 128. In reporting back to Truman, the former president claimed that standards of food and shelter had sunk to "the lowest level in a hundred years of Western history." Hoover noted the traditional economic ties between Germany and the rest of the continent. He warned that holding Germany "in economic chains" would "keep Europe in rags" and thereby destroy "any hope of peace in the world." Hoover's two reports were entitled "German Agriculture and Food Requirements," February 28, 1947, and "Necessary Steps for Promotion of German Exports," March 18, 1947, Hoover Papers. Concerning the controversial denazification process, Hoover privately said that many Germans had been forced to join the Nazi party in order to participate in national affairs. Hoover conversation discussed in Sterling Morton to Robert Herbst, July 24, 1947, the Papers of Sterling Morton, Chicago Historical Society (hereafter cited as Morton Papers).
 129. *New York Times*, 13 August 1946, p. 3.
 130. H. Hoover to Bonner Fellers, August 29, 1947, Hoover Papers.
 131. H. Hoover to Bruce Barton, December 9, 1948, Hoover Papers.
 132. *Ibid.*, June 9, 1948, Hoover Papers.
 133. Hoover had a whole series of objections, including the folly of a four-year commitment; neglect of such countries as China, Japan, Korea, and Germany; and the high cost to the American taxpayer. Other Hoover proposals included restricting all appropriations to fifteen months; confining gifts to surpluses in food, coal, fertilizer, and cotton; demanding European repayment for grants of steel and other capital goods; concentrating upon German production; abandoning foreign exchange for all transactions; and levying a ceiling of \$3 billion. H. Hoover to Arthur Vandenberg, January 18, 1948, *United States Foreign Policy for a Post-War Recovery*

Program (Washington, D.C.: U.S. Government Printing Office, 1948), pp. 797-802. Hoover told wealthy Chicago manufacturer Sterling Morton that if the Europeans gave up demands for a forty-hour, five-day week, they should have substantial help. S. Morton to R. Herbst, July 11, 1947, Morton Papers.

134. *New York Times*, 21 November 1947, p. 11.
135. *Ibid.*, 24 February 1948, pp. 1, 6. Hoover claimed that George Washington would amend his advice against "entangling alliances" in light of Europe's misery. Yet Hoover also stated that the United States, in the event of war, could not rely upon a single ally. Britain and western Europe might remain neutral, the reason not being so much ingratitude toward the United States as fear of a Red Army of 2.5 million men. Hoover could not help noting that a regional military alliance would eliminate the need for an American commitment.
136. Hoover comments as conveyed in S. Morton to H. C. Stone, August 11, 1948, Morton Papers.
137. Noting that the western European countries had spent less than 10 percent of their budgets on military items and that the United States had spent 40 percent, Hoover mused, "Perhaps they feel helpless and cannot do otherwise than rely upon being neutral, in which case we are simply playing Stalin's game by the economic exhaustion of our society." Yet Hoover was optimistic, declaring that communism contained its own "germs" of disintegration. Some Russian satellites, he said, were already chafing under their oppressive rulers. If war could be avoided, the Russian empire would "decay in strength and even disintegrate." Conversely, however, even if the United States won a major war, it would have to spend years occupying all Russia, China, and dependent countries. Ideologies, he stressed, could not be destroyed by machine guns. If the United States attempted such a feat, it would be engaged in "processes of repression and liquidation repugnant to the American people." Memorandum to Kenneth S. Wherry, May 9, 1950, Hoover Papers.
138. If necessary, Hoover argued, the United States should give naval protection to Formosa, the Pescadores, and possibly the Hainan Islands. Such a policy would not only defend the Philippines and Japan; it might guarantee the "salvation of southeastern Asia." H. Hoover to William F. Knowland, December 31, 1949, in *Congressional Record*, 1950, p. 83.
139. *New York Times*, 29 June 1950, p. 18.
140. Speech of October 19, 1950, *Congressional Record*, p. A7451.
141. Speech of December 20, 1950, *Congressional Record*, pp. 17018-19. To Hoover, efforts to halt communism by a land war would merely create a "graveyard" for "millions of American boys." He called for total withdrawal from Korea; the world itself, he asserted, lacked the forces adequate to repel the Chinese Communists. Repeating a point that he had made in his October 19 speech, he questioned whether Europe possessed "the will to fight." The continent was still haggling over the nature of German rearmament, had refused to permit Spain to join the North Atlantic Treaty Organization, and had within it well-organized Communist parties. Before the United States contributed "another man or another dollar" to its shores, the Europeans should establish "organized and equipped divisions of such large numbers as would erect a sure dam against the Red flood."

Addressing the country again early in February 1951, Hoover slightly modified his position. This time he openly favored defending the Atlantic Pact nations, declaring that air and sea power would deprive the Russians of "General Manpower, General Space, General Winter and General Scorched Earth." Hence such a strategy would best protect Europe. While he opposed administration plans to send ground troops, he now endorsed the shipment of munitions. He sought independence for Germany and Japan, asserting that for a century both countries had damned "the Russian-controlled hordes." Without West Germany's participation in NATO, there could be little defense of Europe itself. Again Hoover called for total withdrawal from Korea, approved the sending of American arms to Nationalist China, and claimed that he would permit Chiang "to do what he wishes in China." Speech of February 9, 1951, *Congressional Record*, pp. A773-75. Late in February, Hoover testified before joint hearings of the Senate Foreign Relations and Armed Services Committees. He asserted that, if necessary, the hemisphere possessed the resources to stand alone. Indeed, it had an abundance of zinc, copper, cobalt, and uranium. See testimony before the Senate Foreign Relations and Armed Services Committee, February 27, 1951, *Assignment of Ground Forces in the European Area* (Washington, D.C.: U.S. Government Printing Office, 1951), p. 734-37.

142. *New York Times*, 27 April 1951, p. 14.
143. In January 1952, Hoover claimed that the Truman administration, by vetoing McArthur's strategy of "destroying the Chinese air sanctuary in Manchuria and the employment of Chiang Kai-shek's armies," had denied the nation victory. He attacked the truce negotiations, declaring that the United States had "retreated from the original purpose of unity and independence for Korea to an appeasement idea of a division of Korea about where it was before." Yet, fearing that too many commitments would ruin America's solvency, he said, "If our economy should collapse, victory would be complete. We cannot take that risk." Speech of January 27, 1952, *Vital Speeches*, XVIII (February 15, 1952), 258–61.
144. H. Hoover to Joseph R. McCarthy, March 12, 1951, Hoover Papers. See also conversation with George T. Eggleston in March 1951 as described in Eggleston, *Roosevelt, Churchill, and the World War II Opposition: A Revisionist Autobiography* (Old Greenwich, Conn.: Devin-Adair, 1979), pp. 206–7.
145. *New York Times*, 14 March 1951, p. 8.
146. According to Hoover, the Kremlin had "reduced the United Nations to a propaganda forum for the smearing of free people," and had thereby eliminated its role "as a preservative of peace and good will." Hence he wanted the UN to be organized without the Communist nations. If this move was impractical, he called for a "New United Front," composed of those nations "who disavow Communism, who stand for morals and religion, and who love freedom." Hoover denied that he was proposing a military alliance; rather his proposal was based "solely upon moral, spiritual, and defense foundations." Speech of April 27, 1950 to American Newspaper Publishers Association, *New York Times*, 28 April 1950, p. 13.
147. *New York Times*, 22 April 1955, p. 6. In June 1954, Hoover was more cautious. He said that the United Nations should not be abolished for it had aided in settling disputes among "secondary nations." At the same time, he called upon "the free nations who believe in God" to mobilize, either within or outside the UN, "against Red atheism and human slavery." See speech before Merchandise Mart Hall of Fame, Chicago, June 24, 1955, *Addresses Upon the American Road, 1950–1955* (Stanford, Calif.: Stanford University Press, 1955), p. 72.
148. Hoover added that the United Nations had "failed to give us even a remote hope of lasting peace." In fact, it had added to the dangers of war. *New York Times*, 11 August 1962, pp. 1, 2.
149. In January 1951, Hoover suggested that the United States settle the unification of Germany with Russia. After supervised elections, a neutralized and disarmed Germany could emerge. "Russia keeps agreements that are in her interest," he went on, "and this would be, and would also be in our interest if we get our ground forces out of Europe and cut expenses." H. Hoover to Mark Sullivan, January 9, 1951, Hoover Papers.
150. In 1957, Hoover claimed that even though the United States had spent between \$40 and \$50 billion, there were probably not more than six battleworthy divisions in the whole alliance. H. Hoover to J. Reuben Clark, November 29, 1957, Hoover Papers.
151. In July 1953, Hoover claimed that the riots of eastern Europe might reduce Russia's aggressive potential. *New York Times*, 6 July 1953, p. 3. In November 1954, speaking in the aftermath of Stalin's death, Hoover noted that the heirs to the Bolshevik revolution were less militant and more concerned with domestic improvements than were the first generation. *Ibid.*, 25 November 1954, p. 8. When the 1955 Geneva Conference was held, Hoover hoped that it might result in "an enduring peace for years to come." *Ibid.*, 9 July 1955, p. 32. In 1957, he found "the free world" strong enough to counter any Soviet threat. *Ibid.*, 10 August 1957, p. 6; 12 November 1957, p. 26.
152. H. Hoover to Alexander Wiley, January 24, 1957, Hoover Papers.
153. *New York Times*, 25 May 1959, p. 12.
154. *Ibid.*, 67 April 1959, p. 3; 10 August 1961, p. 5.
155. Obituary, *ibid.*, 21 October 1964, p. 40.
156. *Ibid.*, 29 July 1963, p. 2.
157. Joan Hoff Wilson, *Herbert Hoover: Forgotten Progressive* (Boston: Little, Brown, 1975), pp. 280–81. Wilson also wrote that Hoover predicted that "an American empire based on rigid ideological motivation and coercive military tactics . . . would ultimately destroy the system of voluntary cooperation at both the international and domestic levels that he tried so hard

- to create after World War I." See "A Reevaluation of Herbert Hoover's Foreign Policy," in Martin L. Fausold and George T. Mazuzan, eds., *The Hoover Presidency: A Reappraisal* (Albany: State University of New York Press, 1974), p. 186.
158. William Appleman Williams, "What This Country Needs . . . The Shattered Dream: Herbert Hoover and the Great Depression," in *Herbert Hoover Reassessed: Essays Commemorating the Fiftieth Anniversary of the Inauguration of Our Thirty-First President* (Washington, D.C.: U.S. Government Printing Office, 1981), p. 445.
159. Herbert Hoover, *The Ordeal of Woodrow Wilson* (New York: McGraw-Hill, 1958), p. 118.
160. *Stanford Daily*, 30 April 1940, p. 1.
161. "Foreign Policies Today," article in *Liberty Magazine*, April 15, 1939, as in *Addresses, 1938-1940*, p. 113.
162. "The Nine Horsemen and America," article in *Liberty Magazine*, June 5, 1940, as in *Addresses, 1938-1940*, p. 172.
163. Hoover and Gibson, *Problems*, p. 126.
164. Hoover, *Ordeal*, p. 118.

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